

HOUSE OF REPRESENTATIVES—Thursday, September 26, 1991

The House met at 10:00 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We celebrate all Your gifts, O God, and pray that we will gain insight into Your will for us. Give us a new understanding of the meaning of justice between people and a desire to do the works of justice. Give us the strength, gracious God, to stand on the side of right, to speak for truth and fairness, and with all our heart to turn away from any intolerance. As You have created us to be one people living together in peace and respect, so may we express that unity in our words and deeds. This is our earnest prayer. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. The gentleman from Colorado [Mr. SKAGGS] will please come forward and lead the House in the Pledge of Allegiance.

Mr. SKAGGS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H.J. Res. 332. Joint resolution making continuing appropriations for the fiscal year 1992, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 862. An act to provide for a demonstration program for voir dire examination in certain criminal cases, and for other purposes;

S. 865. An act to provide for a demonstration program for voir dire examination in certain civil cases, and for other purposes;

S. 1699. An act to prevent false and misleading statements in connection with offerings of government securities; and

S. 1754. An act to amend the U.S. Commission on Civil Rights Act of 1983 to reauthorize the Commission, and for other purposes.

ONE MAN'S REPORT ON UNEMPLOYMENT

(Mr. WISE asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. WISE. Mr. Speaker, apparently the President has referred to the unemployment bill as 'garbage.' That is what the newspapers report.

I wish he had met Roy on Friday. Roy stopped me in the parking lot of a fast food restaurant, a Burger King. He was driving by in his truck, and he stopped and got out. He was neatly dressed. Do you know what he was doing? He was out looking for work.

He lost his manufacturing job in March, along with 300 others, but he has not stopped. He is not asking for benefits; he is not asking for a hand-out. He wants to work.

Mr. Speaker, he said, "What's wrong with the President? Why won't he sign this bill?"

Roy recognizes that we can talk about growth and economic development, but economic development starts at home. It starts by helping working families like the one Roy heads up to be able to keep the mortgage payments going, to keep the children in school, and to make the payments they have to make so he can go back and get into the work force. They invested in this country, and they ask for some return.

Incidentally, Roy said:

You know, I am having trouble. I am making the mortgage payments, we are making the car payments, but writing that tuition check to keep our child in college is really causing some problems.

He is doing it, Mr. Speaker, but he is not garbage, and this bill is not garbage. This House and this President need to pass unemployment compensation.

WHAT THE PRESIDENT REALLY SAID

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, in the last couple of days we have had several Members come to the House floor, including members of the Democratic House leadership, saying that the President of the United States called the unemployment benefits bill garbage.

I know that the House rules prevent me from saying that those Members are lying, so I will not say that, but I will say, as Winston Churchill once said, that they are guilty of terminological inexactitude.

I have here a copy of the President's remarks that he made in New Jersey. I am going to read to the House what the President really said, and I quote:

And I'm a little tired of hearing Democrats say we have no domestic agenda. The problem is their domestic agenda is to crush our domestic agenda. They're doing nothing but griping—refusing to consider the new ideas and sending me a bunch of garbage I will not sign. I'll continue to veto the bad stuff until we get good bills.

There is no mention of unemployment in the paragraph before, and there is no mention in the paragraph after. In fact, the only mention of unemployment is in some paragraphs down where he mentions the fact that some unemployment bills should also be paid for.

Mr. Speaker, this is an absolutely irresponsible approach, to come to this floor and make accusations against the President of the United States for words he did not say. I expect Members who have done so to come to the floor and apologize to the President for what they have said, but I do not think they are responsible enough to do so.

UNITED STATES RECOGNITION SOUGHT FOR THE NEW REPUBLIC OF ARMENIA

(Mr. MCNULTY asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. MCNULTY. Mr. Speaker, last Saturday I was in Armenia, and I witnessed history. In the first referendum in the Soviet Union since the failed coup attempt, the people of Armenia went to the polls in record numbers and voted for independence. More than 90 percent of the people of Armenia over the age of 18 participated in that election, and more than 90 percent of those who participated voted for independence.

Since the United States of America has set itself up as the beacon of freedom and democracy for all the world, we should be the first, Mr. Speaker, to step forward and recognize the independence of Armenia. After we do that, I hope the United States will also proudly step forward and sponsor membership in the United Nations for the new State of Armenia.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. Speaker, I hope the United States and all the freedom-loving people of the world will gather together and, like the Armenian people, proclaim: "Getseh azad angakh haiastan"—long live free and independent Armenia.

WHILE CONGRESS DEBATES, SMALL BUSINESS IS SOLVING THE CHILD CARE PROBLEM

(Mr. IRELAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. IRELAND. Mr. Speaker, small businesses will generate nearly 75 percent of the new jobs in this country over the next 25 years.

Because many of these jobs will be filled by working parents, child care will become one of the most pressing issues facing our country.

A recent report issued by the non-profit Child Care Action campaign suggests that while we, in Congress, have been debating the merits of mandating child care benefits, small businesses have been finding innovative ways to meet the child care needs of their employees. What a familiar theme. While Congress looks to bureaucrats to solve a problem, small business gets the job done.

My colleagues, the answer to our child care and other social-economic problems is not Government mandates. Mandates will only destroy small business jobs.

Incentives are what small businesses need to meet the evolving interests of their employees—incentives that will create the jobs we so desperately need.

My colleagues, it is easy to say that you are all for small businesses and the jobs they create. But it's how you vote that really counts.

□ 1010

REPUBLICANS LEADING NATION IN DIRECTION OF IRRESPONSIBLE POLICY

(Mr. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, the gentleman from Pennsylvania [Mr. WALKER] just came into the well in some kind of a tirade about the depiction of the President's remarks calling the legislation on unemployment put forth by the Democrats as garbage.

Clearly we see a story under the Associated Press where "Bush defended his domestic policy, calling Democratic legislation on unemployment benefits garbage."

This has been reported in the media rather extensively and has not been de-

nied by the White House. For the gentleman from Pennsylvania [Mr. WALKER] to suggest that it is irresponsible to quote the President of the United States after it has been widely reported and not retracted by the White House, is in fact outrageous.

I will tell the gentleman from Pennsylvania [Mr. WALKER] what in fact is irresponsible: It is his vote against the unemployment legislation and the inability of this President to come to grips with the trauma that millions of American families are feeling as a result of falling off of the unemployment system after they have lost their job through no fault of their own.

That is what is irresponsible, and your party and your President are leading this Nation in the direction of that irresponsible policy.

Mr. WALKER. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. No, I do not yield.

REPUBLICAN APPROACH TO UNEMPLOYMENT BENEFITS IS FINANCIALLY RESPONSIBLE

(Mr. HUNTER asked and was given permission to address the House for 1 minute.)

Mr. HUNTER. Mr. Speaker, let me answer the gentleman from California [Mr. MILLER] who just made a statement on the floor concerning the President's speech. Let me answer not by making a denigration of the President, but rather by quoting his real remarks. He said the Democrats are, "refusing to consider the new ideas and sending me a bunch of garbage I will not sign. I'll continue to veto the bad stuff until we get good bills."

He did not say that he was against an unemployment bill. He said regarding an unemployment bill:

Right now in Congress there's some debate on how to help the unemployed whose benefits have run out. The Democrats want us to pass a bill and simply not pay for it, push it over onto future generations. And our approach, the Dole substitute it's called, helps the unemployed—they get the extended benefit—but pays for the program. And this approach—their approach adds to an already humongous deficit, and ours does not. Ours pays as you go and takes care of those who are in need. And that is the fundamental difference between the Republicans and the Democrats.

Mr. Speaker, once again, the President supports a responsible unemployment bill.

Mr. WALKER. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I am happy to yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, I think it is well to point out if we could that the gentleman from California [Mr. MILLER] quotes from the AP story, not from the transcript of the President's speech. I quoted from the transcript of the President's speech. The gentleman

seems to want to quote from news stories that may or may not be accurate.

Mr. HUNTER. Mr. Speaker, reclaiming my time, let me just say one thing. Members on the Democrat side and the gentleman from California [Mr. MILLER], who just spoke, I think we owe it to the President to accord him the same dignity and the same comity that we accord each other in this House. When one Member gets up and makes a statement on the RECORD, and the quote is mistaken by somebody and the exact words are later brought about by the other side, then there is an apology, whether it is a Democrat who does it or a Republican who does it.

Let us show the same respect to the President of the United States that the Democrats and Republicans in the House of Representatives show each other.

SUPPORT BILL OF RIGHTS FOR CAMPUS SEXUAL ASSAULT VICTIMS

(Mr. RAMSTAD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RAMSTAD. Mr. Speaker, last Friday I conducted a field hearing at the Minnesota State capital on H.R. 2263, the Campus Sexual Assault Victims' Bill of Rights Act. I want to extend my deepest thanks to the gentleman from Minnesota [Mr. PENNY] and the gentlewoman from New York [Ms. MOLINARI] for their active participation at the hearing.

Mr. Speaker, we heard 5½ hours of compelling testimony from campus sexual assault survivors, parents of victims, representatives of national and local victims' rights organizations, experts on acquaintance rape and campus security, student leaders, college administrators, and law enforcement.

After hearing the testimony at this field hearing, I am even more convinced of the need for this legislation. So that Members and others can benefit from this important hearing, I am submitting the statements of the witnesses from that hearing into the CONGRESSIONAL RECORD.

H.R. 2363 now has strong bipartisan support, 123 cosponsors, almost an equal number of Democrats and Republicans.

Congress needs to take strong action to protect the victims, survivors of campus sexual assaults. I urge Members to review the statements I am submitting into the RECORD today.

On behalf of 6,000 victims of campus sexual assault this year alone, I urge support of H.R. 2363, the bill of rights for campus sexual assault victims.

PRESIDENT SHOULD DISAVOW INACCURATE NEWS STORIES

(Mr. HEFNER asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. HEFNER. Mr. Speaker, I am a bit confused. The gentleman on this side of the aisle says that the President did not make certain remarks, and it has been reported by the news services all across the country. Did he not mention the unemployment bill? He said all we are sending is a bunch of garbage.

Is the President of the United States omnipotent, and the only things he will sign are what he is in favor of, if he wanted to discriminate between the unemployment bill and the other bills?

But he did not do that. He made a blanket indictment that everything we are sending is a bunch of garbage. If he wanted to exclude the unemployment bill, he should have done so.

The White House has not disavowed the reports that have been made to the news services. We certainly do not want to jump on the President, but if the President wants to disavow these remarks, he should call and do so.

Mr. WALKER. Mr. Speaker, will the gentleman yield?

Mr. HEFNER. I do not yield.

Mr. WALKER. Of course not. The gentleman does not want the truth.

Mr. HEFNER. Mr. Speaker, I yield 5 seconds to the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman for yielding.

Mr. HEFNER. Mr. Speaker, I reclaim my time.

Mr. WALKER. Mr. Speaker, I have the transcript, and it does not say what the gentleman says it does.

FULL DISCLOSURE REGARDING HOUSE BANKING PRACTICES SHOULD BE MADE

(Mr. NUSSLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NUSSLE. Mr. Speaker, I rise today not as a rebellious freshman Member of Congress but as a confused and very concerned citizen and Member of this body. I am concerned and confused about the message that was sent from this body yesterday, and which has been sent from this body over the course of the last week.

Mr. Speaker, my confusion and concern surrounds the study released by GAO about the 8,331 checks from the official bank that have been bounced between July 1989 and July 1990.

My constituents want to know if I have bounced any checks, and they want to know why we do not have full disclosure in this House. They want to know why we do nothing.

Mr. Speaker, in this very Chamber in January I had the privilege of addressing high school students that came here to learn about our process. In talking to them about the budget proc-

ess, I told them it is very simple. It is like balancing your checkbook. If you have \$35 in your checkbook, you do not spend \$40.

Little did I know in January that back here in September we would have to talk about our own bank accounts and whether or not we have been bouncing those checks.

Mr. Speaker, I ask for that full disclosure. It is fair to those of us who have not been bouncing checks, to those of us who have been fair to this process, to make full disclosure to the people back home who are sick and tired of what they hear when it comes to this body and the kind of things that occur in this body.

Mr. Speaker, I ask for that full disclosure today.

DR. SEUSS—A GIANT IN CHILDREN'S LITERATURE

(Mr. NEAL of Massachusetts asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEAL of Massachusetts. Mr. Speaker, I rise today to inform the Members of the passing on of one of America's best loved authors and a native of my hometown of Springfield, MA. The person I am talking of is Theodore Seuss Geisel, known to millions of children the world over as Dr. Seuss. Dr. Seuss died yesterday in California, but my home city of Springfield, MA, has always been proud to call him one of ours. He was born in Springfield in 1904. He studied animals at the Forest Park Zoo, which was supervised by his father, and his first book was based on his childhood memories of Mulberry Street. That book, "And To Think That I Saw It on Mulberry Street," was an immediate hit with children and parents. Forty-seven books followed, and today we know such characters as "Yertle the Turtle," "The Grinch Who Stole Christmas," "Horton the Elephant," and, of course, "The Cat in the Hat."

As I remember Dr. Seuss, I think of the millions of children who first learned to read with a big Dr. Seuss book in hand. He made reading fun. "One Fish, Two Fish, Red Fish, Blue Fish." He disdained interviews with adults, but was always available to be interviewed by kids. They loved his books and they loved him.

Dr. Seuss returned to Springfield a few years ago when I was mayor. We honored him officially, but the only part of the day that he really appeared to enjoy was a read-aloud session with a group of elementary school children. That is how we will remember this creative and interesting man: As a genius at sparking the imaginations of children everywhere.

□ 1020

PARTIAL SOLUTION TO BOUNCED CHECKS NOT ENOUGH

(Mr. SANTORUM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SANTORUM. Mr. Speaker, on Saturday I was at an outreach meeting in Churchill in my district and a woman raised her hand and handed me a newspaper article that talked about 134 Members of Congress bouncing 581 checks of over \$1,000 or more for the past 6-month period this year. That article also said that 24 Members of Congress each bounced at least 1 check per month worth at least \$1,000.

The article continues.

The Congress is again, circumventing rules and regulations that everybody else in this country must obey.

She asked me did I do that. I said, no, I did not. And then she said, I did not. And then she said, "What are you going to do about it?"

I came here to Congress this week and the Speaker took the floor yesterday and said that this practice must stop, and I agree with him that this practice must stop. And I commend him for his action. But that is not enough. This is only a partial solution to the problem.

If there has been a systematic abuse of this system, as is suggested by the GAO report, it must be disclosed to the American public and the names and the abuses must be made public.

I request that that information be produced today.

A COW BELCHING STUDY BY THE EPA

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to review and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, talking about garbage, the EPA is spending \$210,000 to study cow belching and its effects on global warming. Here is how it works.

Cows will wear backpacks and have hoses connected to their mouths.

Tell me, Mr. Speaker, what happens if the backpack is to tight and instead of an oral emission, Elsie goes 7.0 on the Richter scale? Will the President declare a garbage emergency of the House? Or how about maybe will appoint a Congressional Bovine Burp task Force, Or maybe the EPA will require, think about it, scrubbers on udders, bag hoses on nostrils. I think we ought to take a cattle prod to the EPA and when the people talk about garbage, about the only jobs being created are not in Government waste, it is raw Government sewage.

THE COUNTRY NEEDS TO KNOW

Mr. LIVINGSTON. Mr. Speaker, the country needs to know. A distinguished Democrat in the other body said something memorable last June. That distinguished gentleman was calling for a congressional investigation of the charges that Ronald Reagan's 1980 campaign staff had dealings with Iranians during the hostage crisis.

Despite the flimsy evidence, this is what he said. He said, according to the Los Angeles Times of June 25, 1991, "If the allegations are not true, the country needs to know they are not true."

Mr. Speaker, those words take a new relevance today. There are recent charges made about some of our colleagues that they have helped the Communist Government of Nicaragua and/or that they disclosed classified information.

I do not know if those charges are true, but the distinguished Member of the other body had it right. The country should have the right to know.

Mr. Speaker, if there is any good reason not to have such an investigation, will you please tell us, and the American people, what on Earth that reason could be.

QUOTING FROM THE PRESIDENT'S REMARKS ON UNEMPLOYMENT BILL

(Mr. COLEMAN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLEMAN of Texas. Mr. Speaker, I think it is interesting to note here in the House that only the gentleman from Pennsylvania [Mr. WALKER] appears to be the one trying to clarify the remarks made by the President of the United States. The White House itself has not attempted to change the remarks that the President made attending a fundraising event for Republicans, at which he said, and I want to quote this from the text itself of the speech that he gave where he said, "They are doing nothing but griping," referring to the Democrats. And there was applause. "Refusing to consider the new ideas and sending me a bunch of garbage I will not sign. I will continue to veto the bad stuff until we get good bills." [Applause.]

I think it is time that all of us decided which it is. Is the unemployment compensation bill a good bill that the President will sign or is it garbage?

I do not think that the Republicans in this House can have it both ways. I think that they should admit that the President of the United States himself has said that it is one or the other. He will either sign it or he will veto it. It is either a good bill or it is garbage.

I hope, Mr. President, you will recognize as this House did yesterday that it is a good bill and Americans deserve to have the kind of compensation it anticipates.

THE PRESIDENT WAS REFERRING TO MORE THAN UNEMPLOYMENT

(Mr. DORNAN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORNAN of California. Mr. Speaker, I just met with Kimberly Bergalis, this beautiful, courageous young lady from Florida, dying of AIDS, over in the office of the gentleman from California [Mr. DANNEMEYER]. It was truly like meeting Mother Teresa. This is obviously a saint.

I hope that her appearance on the Hill has some impact. I will devote a whole 1 hour special order to this health problem of AIDS tonight, which enables me to use the rest of my time to talk about this White House issue.

I just spoke to the White House. They are taking your calls. I would warn the majority Members, do not make this torpedo bomber pilot angry. The best thing my colleagues have going for them is his innate gentlemanliness, so he looks at these bills.

He did say to a Republican fundraiser, and I have got the transcripts, that you guys are sending up a bunch of garbage. He is speaking generically about a lot of this stuff going up. Taking my language against abortion out of the D.C. bill made it a garbage bill. So he vetoed it, and we passed it because we put my language back in. That is taking garbage and making it good.

What he talked about on unemployment, one, two, three, four paragraphs later is that he will sign an unemployment bill, but it happens to be the Dole bill, the kind of bill my colleagues are griping about that is a good bill. And then they take it and turn it into some form of garbage.

He will stop using that rough kind of language if we start sending him better material.

I repeat, do not get this Connecticut yankee, who has adopted Houston, angry. When we get him angry, we end up like Pierre.

AMERICA NEEDS THE PRESIDENT'S ATTENTION

(Mr. DOOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOOLEY. Mr. Speaker, recent figures have demonstrated that my district is No. 1 in the Nation in unemployment with over 13½ percent of my constituents unemployed. My constituents have been bludgeoned by the recession and also by one of the most devastating crop freezes in California's history. They have stood by patiently while this President and this country has marched tall into meeting the needs of people of foreign lands, from the Kurds in Iraq, the cyclone victims

in Bangladesh, and the victims of the volcanoes. But they can be patient no longer.

My constituents, American families, need the President to sign the Congress-passed Unemployment Extension Act. My constituents and American families need the President to support an agricultural disaster appropriation bill. We cannot turn our backs and walk away from the needs of American families.

INFORMATION ON BOUNCED CHECKS SHOULD BE MADE PUBLIC

(Mr. KLUG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLUG. Mr. Speaker, right above my head, behind where the Speaker's desk is, is where my former colleagues in the press corps watch what goes on in this room.

Yesterday both reporters and a number of my colleagues in the House were shocked when the House very quietly tried to end the question about Members' bounced checks at the House bank.

Today a reporter and Washington can find out and get a copy of John Sununu's travel records; he or she can get a copy of Lamar Alexander's expense reports or even Jack Kemp's daily calendar.

Because this institution is exempt from the Freedom of Information Act, we cannot find out anything about the bounced checks here in the House.

I think the records of the bounced checks should be made available immediately to the press corps and to the public. If it is \$11 bounced checks for Domino's Pizza nobody is going to care. But if the General Accounting Office is correct, that several dozen Members bounced checks for thousands of dollars over a period of years, that is a scandal.

I think reporters and the public should be able to know who did it, how much, for how long, and why it took so long to be stopped. We cannot end questions about this institution by trying to hide them. We can only protect this institution by letting the chips fall where they may.

□ 1040

MICRONESIA AND THE MARSHALL ISLANDS JOIN THE UNITED NATIONS

(Mr. DE LUGO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DE LUGO. Mr. Speaker, last week, two insular areas associated with the United States—Micronesia and the Marshall Islands—were admitted as members of the United Nations.

This international recognition is a milestone in their political development which should be a source of pride to us as well as to them.

After taking them during World War II, the United States became fully responsible for these Pacific islands under a trusteeship agreement with the U.N. Security Council. The goal was to develop the islands into a self-governing status.

Micronesia and the Marshall Islands became self-governing in all matters that do not affect international security under a law enacted in 1986. It approved and modified a compact of free association and sought to fulfill lingering trusteeship obligations. The Security Council acted on the termination of the trusteeship for them last December.

The new relationship is unique for our Nation. It secures important military rights for the United States and it requires us to provide substantial assistance, including some domestic programs, and special access.

I intend for the Insular and International Affairs Subcommittee, which I am privileged to chair, to continue to work to make the relationship mutually beneficial and live up to the promises of the Compact Act and related laws.

I also congratulate the peoples of Micronesia and the Marshall Islands—especially, Presidents Bailey Olter and Amata Kabua and Ambassadors Jesse Marehalau and Wilfred Kendall, respectively—on their islands' achievements as sovereign states.

PRESIDENTIAL CANDIDATES

(Mr. HEFLEY asked and was given permission to address the House for 1 minute.)

Mr. HEFLEY. Mr. Speaker, it was fun over the weekend to watch the 1992 political race for President catch steam among the Democratic Party. My, how the rhetoric became hot as one want to be after another lashed out at the President of the United States.

It is perfectly appropriate to point out the differences between these candidates and the President of the United States. But it is not appropriate to deceive the American public in the process.

So far the bulk of the bashing has been over our deficit problems. Fair enough. These are real, except they are pointing the finger at the wrong party. They are pointing the finger at President Bush when they should be blaming Congress.

President Bush is simply not responsible for something that is out of his hands. Congress makes the budget, Congress passes the appropriation bills, Congress is responsible for putting the country on a fiscal path toward economic disaster, and Congress has the power to solve these problems.

The American people know this. They are not dumb. They are going to see right through the senseless rhetoric of these candidates.

Simply, the American people are sick and tired of Congress and its blatant waste of their tax dollars. It is time the Presidential candidates get their facts straight and tell the American public what the real story is. It is Congress that is to blame for these spending habits and the Nation's deficit problems, not the President.

It is time we owned up to our responsibility and begin to solve these problems.

PEACE AGREEMENT IN EL SALVADOR

(Mr. KENNEDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY. Mr. Speaker, today the Government of El Salvador and rebel groups reached an accord that may eventually lead to lasting peace. This agreement was facilitated by an U.N. effort that took 18 long months.

The agreement will allow the rebels to join the new civilian controlled police without risk of official discrimination. It will require the Government to protect the lives of their families until a broader peace agreement is reached.

We should commend the Salvadoran Government, the FMLN and the U.N. Secretary General for this historic agreement, we should urge all parties to remain committed to creating a new society for the people of El Salvador. But while the framework has been established, the shooting continues and the deaths continue.

It is incumbent upon the United States to ensure that this framework achievement is transformed into a real solution. It is no time to undermine this process by sticking to partisan beliefs that one group is better than the other. It is no time to push for increased military aid or military advisers. It is time, however, to bury those cold war motives and look to the future of a new El Salvador.

Mr. Speaker, I hope my colleagues will join me in calling on President Bush to show leadership at a time when a leader is needed here in the Western Hemisphere. I hope my colleagues will themselves recognize this great achievement and resist military solutions in a place where humanitarian solutions are needed. The opportunity for peace is at hand; let us not squander it.

PROMPT DISCLOSURE OF GAO STUDY ON HOUSE BANK

(Mr. RIGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RIGGS. Mr. Speaker, in recent days this House has been rocked by revelations in the national media, first brought to light by the GAO study, that literally hundreds of the Members of the House of Representatives have systematically abused the House banking privilege by bouncing checks, and in some extreme cases using the checking system as a way of getting a signature loan. Once again the integrity and credibility of this proud institution is called into question.

Mr. Speaker, I applaud the prudent, fiscally common sense steps that you have taken to put an immediate end to this abuse. However, that is but one step in a two-part process by which this self-policing body can demonstrate that we are indeed sensitive and concerned about our standing with the American people. Mr. Speaker, we need prompt, complete disclosure of the GAO study as well as the names of the Members who have been involved in this abusive practice to the other Members of this institution as well as the American media. Only by that complete disclosure, only by letting the sunshine in in this House will we demonstrate that we are accountable to the American people for our every word and deed, and indeed concerned about our loss, our continuing loss of public faith and confidence in government.

BAD CHECKS INVOLVE THE INTEGRITY OF THE HOUSE

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MAZZOLI. Mr. Speaker, it pains me, it grieves me, truly disappoints me to have to speak of something today in the well which is trivial in comparison to the peace and war and life and death issues which we deal with here. But I must, because this trivial matter does affect the honor, the respect, the integrity of this body.

I speak, of course, of the GAO report which suggested that some several thousand checks have been bounced by Members of the House. I applaud the statement, the very resolute statement, made by the Speaker of the House and the minority leader, Mr. MICHEL, yesterday, saying that this will never happen again.

I have always felt awkward and embarrassed to make public statements that I am a good person, or that I do what I am supposed to do. But on Tuesday I requested and received from the Sergeant at Arms of the House a letter saying that all of my checks cleared during the period during which the GAO report was conducted.

I hate to have to do this, Mr. Speaker, but it is the entire character of the House which is at trial under the circumstances.

Once again, I applaud you, Mr. Speaker, for taking the strong steps you have taken to make sure this bad chapter is never repeated.

HOUSE OF REPRESENTATIVES,
Washington, DC, September 23, 1991.

Hon. RON L. MAZZOLI,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN MAZZOLI: After an extensive search of the Sergeant At Arms Daily Settlement Statements, I am pleased to confirm your understanding that you have never placed this office in a position that would require us to obtain additional funding to your account.

If I can be of further assistance to you, please do not hesitate to contact me.

Sincerely,

JACK RUSS,
Sergeant at Arms.

PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. McNULTY). The gentleman will state his parliamentary inquiry.

Mr. WALKER. Mr. Speaker, the gentleman from Kentucky has just made a statement about letters being issued by an officer of this House with regard to the Members' financial records. The Members on our side of the aisle have asked for similar letters and have been told that they are not available.

Is this something which is going to be done in just a partisan fashion in the House of Representatives?

The SPEAKER pro tempore. The Chair assumes that any Member of the House is free to ask for a letter if he wishes. The decision to make information available will rest with the Sergeant at Arms.

Mr. WALKER. So the Sergeant at Arms makes the decision to give those letters to Democrats and not give them to Republicans; is that what the Speaker is saying, that is up to the Sergeant at Arms?

The SPEAKER pro tempore. The Chair is only saying to the gentleman that the gentleman from Kentucky said that he was making a request.

Mr. WALKER. No; he said he had gotten such a letter, I think. He had gotten such a letter. Members on our side of the aisle have made those requests and have been told that those kinds of letters are not available. All I am asking is, Is that in the discretion of the Sergeant at Arms to do?

□ 1040

The SPEAKER pro tempore (Mr. McNULTY). The Chair is advised by the Sergeant at Arms that any Member can get a letter from the Sergeant at Arms.

Mr. WALKER. I thank the Chair.

NO MORE CONTINUING RESOLUTIONS

(Mr. STEARNS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I have listened to many of my colleagues on the other side of the aisle condemn the President for his alleged lack of attention to domestic affairs.

Well, I have always believed in the old saying that those who live in glass houses should not throw stones.

Since the 102d Congress commenced, we have only completed action on 3 of the 13 appropriation bills needed to be passed, by law, by October 1. As a result, this body passed a continuing resolution yesterday by voice vote.

Because Congress has not had the time to do its job on appropriations, we have had to pass this CR to provide funding for many critical programs. The question is: Why have we only completed action on 3 of 13 appropriation bills? It certainly is not because we were overworked. Apparently the majority leadership in Congress believes that 1½-months' vacation and mountains of self-serving legislation are more important to America than passing appropriation bills on time.

LET US HEAR A PLAN FROM THE PRESIDENT

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEFAZIO. Mr. Speaker, controversy over unemployment benefits is not the first controversy where it is in question what the President said or meant to say.

It was reported in the Post a few weeks ago that Mr. Darman said in the controversy over wetlands, "Well, the President did not say it. He did not say, 'No net loss of wetlands.' He just read it in a speech."

Now we hear, well, the President said that unemployment extension is garbage; it is reported widely in the press, not corrected or denied by the White House, but we hear the apologists on the other side of the aisle reading to us from the written record.

So now we can see that he might have said it, but he did not say it, or he did say it, but he might have read it, and if he read it he would have said it the way that they wanted to say it.

Confused? I think everybody is a bit confused. The bottom line is that no single American, whose unemployment benefits have expired this month or last month or the month before or the month before that, has received an additional penny of assistance from the Federal Government. That is the bottom line, because the President has refused to release the funds.

He will sign the bill, but he will not release the funds. That is the bottom line. The proof is in the pudding.

If he has got a plan to give those people benefits, let us hear it. If he does

not, we have got one and he can sign it or not.

COMING TO GRIPS WITH FACTS

(Mr. GINGRICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGRICH. Mr. Speaker, you know, there must be something pathetically difficult about being a Democrat in this period. You vote against going to war over Kuwait and then rush off and say it is not an issue. You vote for quotas and then rush off and say they are not quotas.

Now some of you totally, explicitly, unequivocally, distort what the President of the United States says. Here is the text. You take one word which referred to your legislative agenda, and then four paragraphs later where the President agrees to sign a fiscally responsible unemployment bill, and he talks about the unemployed, and as an act, I assume, of desperation, you refuse to accept the simple truth.

I do not mind debating over facts. It is a fact that the President used the term "garbage" to refer to the Democratic domestic initiatives. He promised explicitly, four paragraphs later, to sign a fiscally responsible unemployment bill. Now, that is a fact. That is not a question. That is not a news report. That is a fact.

In sort of pathetic desperation, some Democrats seem to find it extraordinarily difficult to come to grips with facts.

THE CURRENT CONFLICT IN YUGOSLAVIA

(Mr. KANJORSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KANJORSKI. Mr. Speaker, I am rising today to bring to the attention of my colleagues and the American people the horrible devastation that is currently ravaging the nation of Yugoslavia.

Despite numerous efforts by the European Community to broker a ceasefire and to initiate long-term negotiations, the fighting continues; in many parts of Yugoslavia it has intensified over the past few weeks.

As anyone who has been monitoring the news reports can see, Yugoslavia is quickly deteriorating into a state of anarchy, where those dead, wounded, or displaced will soon be the majority.

I, for one, can no longer bear idle witness to the bloodshed. Thus, in cooperation with my colleague from Wisconsin, Mr. KLECZKA, I am today introducing a resolution that calls on the President to take strong actions, using whatever means are available to this country, to motivate the warring factions in Yugoslavia to stop the fighting and begin negotiating.

The resolution we are introducing today calls on the President to state unequivocally that the United States will not associate itself with any group that continues to perpetuate the fighting.

Furthermore, our resolution indicates a number of avenues through which the United States can put pressure on the different groups to stop the fighting. These avenues include asserting multilateral economic sanctions and reevaluating United States support for Yugoslavia in international financial institutions.

This resolution also calls on all sides to return any and all land that has been gained through violent means; it calls on the President not to recognize any internal or external border changes that have occurred through means contrary to principles of international law. This provision alerts the world to the fact that in Yugoslavia, as well as elsewhere, the United States does not recognize territorial seizure through violence.

Lastly, our resolution calls on the President to request that the United States use its resources to aid in negotiating, monitoring, and enforcing of a temporary cease-fire and long-term resolution of the conflict.

Our resolution does not take sides in the conflict; our goal is to apply pressure to everyone involved to stop the fighting.

Mr. Speaker, it is clearly in the interest of the United States, as well as our friends and allies in Europe, to try to help the people of Yugoslavia resolve their differences. Europe, much like the United States, is a conglomeration of ethnic groups all living side by side. Fighting between these groups is not only counterproductive, it is also morally, socially, economically, and physically dangerous.

I urge my colleagues to join the gentleman from Wisconsin [Mr. KLECZKA] and myself in calling on the President to do all he can to stop the bloodshed and help the people of Yugoslavia.

YUGOSLAVIA AT BOILING POINT

(Mr. KLECZKA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLECZKA. Mr. Speaker, Yugoslavia is at the boiling point. At this critical time, Congress and the administration must speak with one voice in decrying the bloodshed and calling for a lasting cease-fire.

Unless we send a strong message to the people of Yugoslavia, the current cease-fire will be shattered like those before it. If we sit back and say nothing, we risk further violence and the unleashing of nationalistic forces throughout Eastern Europe.

Today, Mr. KANJORSKI and I are introducing a resolution which sends

that strong message. We condemn the bloodshed and broken promises, and we fully support efforts to stop the spiraling violence.

Our resolution urges action in three areas to bring about a lasting cease-fire.

First, Presidential involvement. The resolution calls for the President to include Yugoslavia in his new world order by personally calling for an end to the bloodshed.

Second, pressure. The resolution submits to the President several options to take action against any combatant refusing to honor an existing cease-fire including assessment of multilateral economic sanctions.

Third, a U.N. role. The resolution calls for U.N. involvement in negotiating and enforcing a cease-fire.

Mr. Speaker, we must send a firm message to the peoples of Yugoslavia before one more life is lost to the senseless violence. I urge my colleagues to join us in cosponsoring this resolution.

PRESIDENT DESERVES RESPECT

(Mr. KYL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KYL. Mr. Speaker, I hope that the Democrats have not decided that the only way that they can argue a domestic agenda for this country is to distort President Bush's legislative proposals and his remarks.

And yet, earlier, I heard remarks from this floor intimating that the President has no respect for the unemployed in this country. Now, can anyone legitimately believe that George Bush does not have compassion for all of the people in this country who need assistance?

I refer my colleagues to the actual text of his speech, which they might want to read, of September 24 in New Jersey, and if my colleagues will read this speech, they will see the continuation of this kind of remarks is garbage, because the President in no way indicated any kind of disrespect for the unemployment in this country but, instead, talked about the need to have a good bill which he could sign to assist the unemployment in our country.

Let us debate the facts on the House floor. Politics is one thing, but distortion is quite another, and I think the President of the United States deserves respect.

□ 1050

HELPING THE UNEMPLOYED

(Mr. GEJDENSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEJDENSON. Well, Mr. Speaker, we have come some distance. Orig-

nally we did not need an unemployment bill because the economic recovery was going to lift all the boats out of the water. I think most people have boats that are doing pretty well still.

Now the President sees the tidal wave is coming, and so he does want some help for very few, and for God's sake, as little as possible, to make sure that those unemployed workers do not end up with too much of our money. It never has been a consideration when we were bailing out the banks or bailing out the President's oil companies or anything else, but when it comes to unemployed workers, for God's sake, we do not want to give them 20 weeks. Who knows what they will do if they are able to pay their mortgages and the tuition for their kids for a few weeks longer?

I know a place that has got a great program, though. If you go to Germany, they have a great unemployment program. They have got national health care for all their citizens. They have got universal college education.

Do you know why? Because the United States is spending \$140 billion of our taxpayers' money to defend them from Lithuania, Latvia, and Estonia.

Mr. President, the Latvians, the Lithuanians, and the Estonians are on our side. Let us bring our troops and our dollars home. Let us spend it to put Americans to work and let us make sure that those who cannot find jobs do not have to give up their homes or their children's education or their health care to survive.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. McNULTY). Members are reminded to direct their remarks to the Chair and not to the President.

PUTTING AMERICAN INDUSTRY ON A FAST-TRACK DECLINE

(Mr. TAYLOR of Mississippi asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAYLOR of Mississippi. Mr. Speaker, today the administration's Trade Representative, Ms. Hills, will meet with Congress detailing plans for free trade with Mexico. The plan for free trade with Mexico should best be known as the fast track of American industry decline.

You see, it talks about giving tax breaks for people to take their companies and go down to Mexico. It calls for eliminating tariffs on products being brought from Mexico to the United States.

Now, under the provisions of last year's budget agreement, you have to show where you are going to cut spending or put a tax on someone else. If you look at the record of the United States

during the eighties when the wealthiest 1 percent of Americans had substantial tax breaks of about 68 percent on income tax down to 28 percent, while the citizens of America had their Social Security taxes raised, while they had their gasoline taxes raised, and taxes on alcohol and taxes on tobacco.

Mr. President, I call on Ms. Hills during her presentation today to say which programs she intends to cut, the Medicaid or veterans' rights, or which taxes she intends to put on working Americans to pay for this program that will fast track the decline of American industry.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. McNULTY). Members are again reminded to direct their remarks to the Chair and not to the President.

PEACE IN EL SALVADOR

(Mr. MCHUGH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCHUGH. Mr. Speaker, today we have word that a broad agreement has been reached between the Government of El Salvador and the FMLN, two forces that have been locked in a brutal civil war for over 12 years. Many details still need to be worked out, and the implementation period for this agreement will undoubtedly be a delicate one, but we have reason to hope today that the long nightmare of the people of El Salvador will soon be over.

Many of us in Congress have recognized for some time that this war could not be settled in Washington by the passage of a bill, but could be ended only through direct negotiations between the parties. For that reason, we have tried to shape our legislation to give real incentives for both sides to negotiate seriously and we are gratified today this is finally taking place.

Our task now is to assure that our Government does nothing to make it more difficult for either side to sell this agreement back home in El Salvador. The administration and Congress should work together to fashion legislation that is appropriate for the sensitive transition period. We should encourage both sides to bring their preliminary understanding to a final conclusion and then we can all move with confidence from military confrontation to reconciliation and reconstruction.

WHAT THE PRESIDENT REALLY SAID

(Mr. COX of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COX of California. Mr. Speaker, earlier on the floor today the question was raised about remarks made by the President of the United States, specifically his use of the term "garbage."

I think it is instructive to look at the President's actual remarks and see in what context he spoke. Here is what the President said:

"I'm a little tired of hearing Democrats say we have no domestic agenda. The problem is their domestic agenda is to crush our domestic agenda; they're doing nothing but griping—refusing to consider the new ideas and sending me a bunch of garbage I will not sign. I'll continue to veto the bad stuff until we get good bills."

Later on the President spoke specifically of the unemployment compensation debate. Here is what he said:

The Democrats want us to pass a bill and simply not pay for it, push it over on future generations. And our approach, the Dole substitute—

Referring to Senate DOLE in the other body—

helps the unemployed—they get the extended benefit—but pays for the program. Ours pays as you go and takes care of those who are in need. And that is the fundamental difference between the Republicans and the Democrats.

I think in this context the President's use of the word "garbage" was absolutely fitting. Another President, Harry Truman, often spoke plainly, spoke the facts. President Bush has done just that. He deserves our continued respect.

TELLING LIES ON THE PRESIDENT

(Mr. CUNNINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CUNNINGHAM. Mr. Speaker, I listened yesterday as several Members of this House, starting with the majority leader, lambasted the President for some remarks. That was upsetting enough until I actually read the transcript of what the President said.

My distinguished colleague, the gentleman from Connecticut, a minute ago stated that, well, let us quit spending money overseas and bring the money here.

I have the RECORD vote that he supported and voted for the foreign aid bill himself; so you cannot have it both ways.

Let us stick to the truth and if you make a mistake, let us admit it.

We demand an apology to the President from those Members that misstated the facts.

CONTINUING APPROPRIATIONS, 1992

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H.J. Res. 332) making continuing appropriations for fiscal year 1992, and for

other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendment, as follows:

Senate Amendment: Page 7, line 11, strike out "October 17, 1991" and insert "October 29, 1991."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

Mr. MCDADE. Reserving the right to object, Mr. Speaker, and I shall not object, I would like simply to inquire of the chairman, is it his understanding, as the Clerk just reported, that the only change in this bill that the House passed is to move the date from the 17th to the 29th? Is that the only change the Senate has made in the bill?

Mr. WHITTEN. Mr. Speaker, if the gentleman will yield, that is correct.

Mr. MCDADE. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I urge approval of the Senate amendment, and I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

A motion to reconsider was laid on the table.

PERMISSION TO HAVE UNTIL MIDNIGHT, FRIDAY, SEPTEMBER 27, 1991, TO FILE CONFERENCE REPORT ON H.R. 2519, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1992

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tomorrow, Friday, September 27, 1991, to file a conference report on the bill (H.R. 2519) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1992, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

LUMBEE RECOGNITION ACT

Mr. HALL of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 225 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 225

Resolved, That at any time after the adoption of this resolution the Speaker may, pur-

suant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1426) to provide for the recognition of the Lumbee Tribe of Cheraw Indians of North Carolina, and for other purposes, and the first reading of the bill shall be dispensed with. All points of order against consideration of the bill for failure to comply with the provisions of clause 2(1)(6) of rule XI are hereby waived. After general debate, which shall be confined to the bill and which shall not exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be considered for amendment under the five-minute rule and each section shall be considered as having been read. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

□ 1100

The SPEAKER pro tempore (Mr. McNULTY). The gentleman from Ohio [Mr. HALL] is recognized for 1 hour.

Mr. HALL of Ohio. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee [Mr. QUILLEN] for purposes of debate only, pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 225 is an open rule providing for the consideration of H.R. 1426, the Lumbee Recognition Act. The rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs. The rule also waives all points of order against consideration of the bill for failure to comply with the provisions of clause 2(1)(6) of rule XI, requiring a 3-day layover.

Under the rule, the bill shall be considered for amendment under the 5-minute rule and each section shall be considered as having been read. Finally, the rule provides one motion to recommit.

Mr. Speaker, H.R. 1426, is an important and long overdue bill which extends Federal recognition to the Lumbee Tribe of Cheraw Indians of North Carolina. Because the Lumbee Tribe has never received Federal recognition, the tribe and its members are not eligible for services provided by the Bureau of Indian Affairs and the Indian Health Service. This bill simply provides that Federal laws and regulations generally applicable to Indian tribes will also apply to the Lumbee Tribe and its members. In addition, the Lumbee Tribe and its members will be eligible for the services and benefits provided to federally recognized tribes when funds are specifically appropriated for this purpose.

Mr. Speaker, H.R. 1426 is the result of hearings and many careful consultations. I am pleased that we have an open rule which unanimously passed in

the Rules Committee by a voice vote. I urge my colleagues to adopt it.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Ohio [Mr. HALL] has ably explained the provisions of this fair open rule which affords all Members of this House the opportunity to amend the bill if they so choose.

Mr. Speaker, it is high time that we fully recognize the Lumbee Tribe of North Carolina. The tribe was first recognized by the State of North Carolina in 1885, and they have been seeking Federal recognition since 1888. However, roadblock after roadblock has prevented them from being recognized as native Americans.

Congress first passed legislation concerning the Lumbee Tribe back in the 1950's. We recognized the Lumbee as Indian in the 1956 Lumbee Act. However, language in that legislation denied them Federal services or benefits such as medical and dental care, housing, and education grants. Mr. Speaker, we did not extend the full relationship. By addressing this issue only partially, Congress created a stigma for the Lumbee which prevents them from being acknowledged as true native Americans.

The legislation, introduced by my good friend and colleague, Mr. ROSE of North Carolina, would correct this injustice by extending Federal recognition to the Lumbee Tribe. Mr. ROSE represents the area where most of the Lumbees live and he knows first hand of their plight.

I personally came to know of the Lumbee Tribe back in the 1960's when I recommended to President Nixon that one of my constituents, Brantley Blue, be nominated as a member of the Indian Claims Commission. Mr. Blue was an attorney practicing law in my hometown of Kingsport, TN. He was also a Lumbee Indian, born in Mr. ROSE's district in North Carolina, and the first of the group to become an attorney.

Mr. Speaker, I know of no controversy with regard to this rule. It allows Members the opportunity to amend the bill, but I urge my colleagues to oppose any attempt to weaken it and further delay Lumbee recognition. Voting yes for this rule gives the full House the chance to right its record with the Lumbee people. They have waited almost a century to be recognized as native Americans and today is the day Congress must act.

Mr. Speaker, I have no requests for time, and I yield back the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. MILLER], chairman of the Committee on Interior and Insular Affairs.

Mr. MILLER of California. Mr. Speaker, I just take this time to urge

the House to support this rule and later to support the legislation, and I wish to thank the Committee on Rules for their expeditious treatment of this rule and thank the gentleman from Ohio [Mr. HALL] and the gentleman from Tennessee [Mr. QUILLEN], for their remarks with respect to this legislation.

Mr. HALL of Ohio. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 225 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1426.

□ 1106

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1426) to provide for the recognition of the Lumbee Tribe of Cheraw Indians of North Carolina, and for other purposes, with Mr. KLECZKA in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from California [Mr. MILLER] will be recognized for 30 minutes, and the gentleman from Arizona [Mr. RHODES] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 1426 sponsored by Mr. ROSE of North Carolina extends Federal recognition to the Lumbee Band of Cheraw Indians. This recognition is a formal acknowledgment of a government-to-government relationship between the United States and an Indian tribal government.

In the history of this country, Congress has never enacted a law on how to recognize an Indian tribe. Instead, as we moved west, we entered into treaties with tribes and exchanged promises for land cessions.

However, as the 20th century draws to a close, we are looking at Eastern tribes that existed before westward expansion. For survival reasons, these tribes took on the ways of non-Indians, but they maintained distinct Indian communities. Although the communities surrounding these tribes knew they were Indians, and generally the State governments recognized these groups as Indians, the Federal Govern-

ment neglected to acknowledge these groups as Indian tribes.

Usually, the United States waits until these groups have some threat to hold over the Federal Government's head. For example, in the late 1970's, tribes in Maine who had not enjoyed a relationship with the Federal Government for over 100 years sued for two-thirds of Maine and won. Only then were these tribes granted a large monetary settlement and Federal recognition.

It is ironic that we only recognize Indian tribes when we need something from the tribe or we owe them something under a court order. The irony is these people have always been Indian, have suffered discrimination because their skin is dark, but they are not legally Indian until the Federal Government says they are.

The Lumbee Indians do not have a land claim, nor is there a court ordered settlement, nor do we need or want their land. So why are we seeking to extend Federal recognition today? For a reason that is unusual in this country but it is the best reason—because they are Indians.

The Lumbee have always had a distinct Indian community. The State of North Carolina acknowledged them as a tribe in 1885. In 1912, 1914, and 1933, the Interior Department concluded that the Lumbee were Indians, existing as a separate and independent community.

The Lumbee have tried to get recognized by Congress in the past. Unfortunately, at the end of the 19th century and the beginning of the 20th, congressional policy was to assimilate Indians into society and recognitions were difficult if not impossible. In the 1950's, when Congress was terminating Indian tribes, the Lumbee again sought Federal recognition. In 1956, the Lumbee recognition bill was passed by Congress but it was amended at the request of the Interior Department to prohibit Federal services to the Lumbee people. In a sense, the 1956 act recognized and terminated the Lumbee in the same legislation.

H.R. 1426 corrects this historical wrong. It amends the 1956 act and grants full tribal status to the Lumbee Indians. However, under the bill, the Lumbee must obtain appropriations separate from the outlays for other federally recognized tribes.

Congressional action is needed to recognize the Lumbee. The Interior Department's solicitor concluded in 1989 that the tribe is not eligible to go through the Bureau of Indian Affairs Federal Acknowledgment Process because of the prohibitions in the 1956 act.

However, even if the Lumbee could go through the BIA's process, it would choose not to. The hearings on the Lumbee have demonstrated that the administrative recognition process is

flawed. Over 120 requests for recognition sit at the BIA, and only 8 tribes have ever made it through the process. It has become so difficult to get through this system that it is doubtful that existing tribes could survive the BIA's recognition process.

It is clear that we need to reform this process. But today we have the opportunity to undo one injustice inflicted by the United States.

We can recognize these people for what they are and what they always have been—an Indian tribe. It is the duty of the Congress and the President to recognize this group and restore the government-to-government relationship.

I urge my colleagues to support this bill which I am proud to cosponsor.

□ 1110

Mr. RHODES. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am rising today in opposition to H.R. 1426 as it currently exists.

I have stated the reasons for my opposition to this legislation before in the 101st Congress and in committee this year in the 102d Congress, and I find it necessary to reiterate my opposition today here on the floor. I want to make it clear that I oppose this legislation not because I have concluded that the Lumbees are not a recognizable tribe. The House is fortunate today to have appearing before it most, if not all, of its membership that has some degree of expertise in Indian affairs and Indian law. The House is probably also fortunate in that they are not here today listening to us.

But none of us, I believe, is an expert on the demographic and anthropological characteristics of what constitutes an Indian tribe, and certainly if the handful of us who do have some expertise on Indian matters cannot say that we have an expertise on the elements of what constitutes an Indian tribe, how will the balance of our Members exercise those judgments as they will have to do in voting on this legislation?

This legislation represents a substantial change in public policy, and the membership should understand that. The proponents of the bill in the majority committee report focus extensively on their individual and collective judgments about the tribal status of the Lumbee Indians. These judgments are highly subjective and emotional and can very easily lure one into a debate on the historical and anthropological significance of records and documents contained in several file boxes and cabinets.

I am not going to engage in debate based upon the merits of the Lumbees' application, because as I said, I do not feel qualified to judge that application, and I do not believe that other Members of this body are qualified either.

My opposition is based upon the fact that this body has not established any efficient or discernible standards against which a request for Federal recognition can be measured. Proponents of the bill argue that there is precedent for congressional recognition of the Lumbees because most existing federally recognized tribes have been recognized by Congress through treaties or other statutes. However, the Lumbee situation and circumstances are very different from the precedents which are cited.

Second, the committee hearing record contains testimony both supporting and challenging the claim that the Lumbee Indians are a tribe for purposes of the standards for Federal recognition used in the administrative process. Whether the Lumbee Indians meet these standards is in fact very much an open question. Proponents of the bill state that "no one disputes whether the Lumbee Indians are a tribe, only whether they should be recognized as a tribe by the Federal Government." This is not an accurate statement, as is evident from the hearing record.

It is more accurate to characterize the issue before us as: "Which forum is the more appropriate forum for determining Federal recognition?" Is it with Congress or is it with the Secretary of the Interior? I firmly believe that the recognition process established within the Department of the Interior is the more appropriate forum for determinations of Federal recognition. I believe this for several reasons.

First, the administrative process was established nearly 13 years ago, and the standards and criteria governing the process have been relied upon by many groups. Is it fair to require some groups to be judged under the administrative standards and others to be judged by Congress, which has no standards?

Do we really want to approve this bill and thereby encourage all other petitioning groups to circumvent the process?

Second, the administrative process was developed based on the recommendation of the American Indian Policy Review Commission, a commission established by Congress in the 1970's, with the support of and in consultation with the Congress, federally recognized tribes, and nonrecognized Indian groups. Many tribes, as well as the National Congress of American Indians, have expressed their continued support of the administrative process.

Third, the administrative process is thorough and deliberative. This factor is very important, given that one of the primary consequences of Federal recognition is the establishment of a perpetual government-to-government relationship between the United States and a tribe. In order to protect the integrity of this relationship, it is imper-

ative that Federal recognition not be extended capriciously or impulsively.

Proponents of the bill argue that the administrative process takes too long to complete. However, the hearing record reveals that delays in the process have been attributed to either failure of the petitioning group to submit a fully documented application for consideration, or our failure, Congress' failure, to appropriate sufficient funds to operate the program. This latter problem has been remedied by Congress through increased appropriations the past 2 years, and the former problem, the problem of not completing petitions in a timely fashion, is something that is not in the control of either the agency or the Congress.

Throughout the hearing record on this bill there have been allegations about the systemic defects of the administrative process. The hearing record also contains testimony disputing those allegations. If the process is in need of improvement, Congress clearly should step forward and deal with the matter through legislative and oversight hearings. Today I took steps to address these allegations by introducing a bill designed to improve the administrative process, and I hope and trust that the chairman of the Committee on Interior and Insular Affairs will schedule hearings so we can determine what if any changes in that process need to be made.

The debate on this bill has only become more confused due to the 1956 act of Congress and the conflicting interpretations of it. Proponents argue that the 1956 act recognized the Lumbee Indians but did not extend the full Federal relationship, and that Congress needs now to finish what it started in 1956. In fact, both the Solicitor's Office in the Department of the Interior and the Congressional Research Service have analyzed the meaning of the act and have raised substantial doubts about the assertion that the 1956 act is a recognition act.

It is important to understand that the concept of Federal recognition is a term of art and denotes acknowledgement of a group of Indians as a political entity entitled to services, benefits, and protections because of the political relationship. The 1956 act does not mention any political organization of the Lumbee Indians or any governing body; it does not convey any land or take any land in trust; it does not make reference to whether State laws are to apply; and it does not render the Lumbees eligible for Federal services.

In short, the 1956 act fails to include any of the normal indicators that would enable one to conclude that it is a recognition statute. Interestingly, the legislative history of the 1956 act indicates that the bill's sponsor only intended the bill to provide for a change of name for the Lumbees, not to extend Federal recognition.

The hearing record is replete with debate about the meaning of the 1956 act. The bottom line is that the 1956 act does little to provide the Congress with definitive guidance on the question of Federal recognition for the Lumbees.

A further thesis is offered by the proponents of H.R. 1426: "Approval of the bill is simply consistent with recent actions of Congress to enact recognition legislation." However, almost every example cited by the proponents is very distinguishable from the Lumbee situation.

Since 1978, the year the administrative recognition process was established, Congress has approved 16 acts pertaining to recognition of tribal groups. These distinctions apply: Nine of these acts were restoration acts—tribes whose Federal relationships had been terminated by statute thereby necessitating congressional action to restore the relationship; four of the acts were related to the settlement of eastern land claims. Interestingly, in two of these settlement acts Congress deferred to the administrative recognition process for determination of tribal status and both groups were later determined by the Secretary to be tribes for purposes of Federal recognition; one act pertained to a tribe that was already federally recognized as part of another tribal entity; one act involved a tribal group that is aboriginal to Mexico and specifically excluded from the administrative regulations; and one act is arguably a recognition act.

I maintain that the amendment I intend to offer today is consistent with these recent acts of Congress. I will at the appropriate time describe the amendment which I propose to offer.

Finally, the proponents argue that the only reason the Lumbee Indians have never been recognized before is because they number 40,000 in population and it would be too costly to provide Federal benefits and services to them.

I reject that argument. I want to emphasize that. The size of the Lumbee Indians and the costs to provide services to them is immaterial to the question of whether or not they should be recognized.

I can only say that I, personally, reject any consideration of size and cost. I am not aware of any Indian tribe or organization that has raised this as a concern.

The criteria for Federal recognition contained in the process have an historical and a legal basis, and the size and cost associated with Federal recognition of groups which can satisfy these criteria are irrelevant in the context of Federal Indian policy.

It is clear that Federal recognition, whether done administratively or legislatively, presents Federal budget implications. However, Congress has consistently managed to absorb these costs into the annual budget and ap-

propriations process, and I see no reason why this should change.

I will be offering an amendment in the nature of a substitute, and, at the appropriate time, I will explain my reasoning for this amendment.

I have only one other point to mention. The future of this bill in this House is probably fairly clear. The future of this bill in the other House is not so clear. The future of this bill at the White House is likewise very clear. There is a very clear statement of administration policy that indicates if this bill reaches the White House, if it passes both of these Houses and is presented to the President, that he will veto it.

Therefore, I urge those who wish to see appropriate justice done to the Lumbee Indians to consider that passage of this bill will not accomplish what it is that you seek to have done.

Passage of the substitute which I will offer offers the best hope to the Lumbees of achieving their status, the status that they desire as a federally recognized tribe.

As the gentleman from California [Mr. MILLER] said, the Lumbees have worked and struggled to gain Federal recognition for many, many years. It certainly is true that virtually at the very last hour the Solicitor of the Department of Interior raised the issue of the 1956 act. I consider that to be unfair and unjust, but it has happened, and the issue of the 1956 act has to be dealt with. The amendment which I propose to offer will do that.

I can only say at this point I urge all Members to give careful consideration to the concerns I have raised about the wisdom of proceeding legislatively to do what we can and should do administratively. I hope for support of the amendment which I will offer, which the President will sign, if passed, into law, and which will give the Lumbees a clear path to having an appropriate determination made as to their status as a federally recognizable Indian tribe.

Mr. Chairman, I reserve the balance of my time.

Mr. MILLER of California. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. ROSE], the author of this legislation, who has worked very diligently to move this legislation so that the House could have proper consideration of it.

Mr. ROSE. Mr. Chairman, I would like to begin by sincerely thanking the leadership of the House Committee on Interior for moving this legislation forward. I would also like to thank the Lumbee Indians of North Carolina for their patience through the years in waiting for this bill to come to the floor once again, in hopes that it might become law.

Mr. Chairman, I want to thank Members from North Carolina who have helped me in cosponsoring and promoting this very necessary piece of legislation.

There are basically two points that I would like to make. The gentleman from California [Mr. MILLER] has very eloquently given the reasons that this bill is fair and necessary.

There is one thing I would like to emphasize that the gentleman said. This bill will not take away from any of the existing Indian tribes in this country that are currently receiving services from the BIA, because this bill requires that there be at some future point a separate appropriation that stands on its own that would fund the services, if any, that were to be given to the Lumbees.

Second, I would just like to observe that it has been suggested and will be suggested in the substitute that will be offered in a few minutes that the Lumbees should go through the administrative process. In the same breath that my friend, the gentleman from Arizona [Mr. RHODES] suggested that the Lumbees should go through the administrative process, he suggested that it was a flawed process and needed to be amended, and he has introduced a bill to do just that.

Mr. Chairman, think about that.

Mr. Chairman, I have a very interesting letter that I would like to share briefly with Members. If you had a copy of the 1978 Federal Register that announced the final rulemaking for Indian tribe recognition, listed as the author of those regulations would be the name Bud Shapard. Bud Shapard is now retired and living in West Virginia. He has shared with me a copy of a letter that he sent to the Indian Affairs Committee in the Senate.

The process that the substitute will seek to ask the Lumbees to follow, according to the author of that process, has proven to be financially burdensome on both the Government and the petitioners, infuriatingly slow, and too complicated. Worst of all, the decisions are by nature subjective despite the fact that they are shrouded in a swirl of academic calisthenics.

That is from the author of the regulations.

Congress has time and time again followed the procedure that the gentleman from California [Mr. MILLER] has brought from his committee to the floor of the House today.

Mr. Chairman, I thank Members for their consideration. I hope we will, without amendment, pass the legislation that is before us now.

Mr. RHODES. Mr. Chairman, could I inquire of the Chair how much time I have consumed?

The CHAIRMAN. The gentleman from Arizona [Mr. RHODES] has 17 minutes remaining, and the gentleman from California [Mr. MILLER] has 22 minutes remaining.

□ 1130

Mr. RHODES. Mr. Chairman, I yield such time as he may consume to the

gentleman from North Carolina [Mr. TAYLOR].

Mr. TAYLOR of North Carolina. Mr. Chairman, I would like to first commend my colleague from North Carolina for his effort on behalf of the Indians in Robeson County and in all of North Carolina. I think it is commendable any time we rise to speak on behalf of the Indians in America.

I represent a district which comprises the area of the Eastern band of the Cherokee. In the early history of our Nation, Congress and the administration often abused American Indians in this Nation. In my home district, President Andrew Jackson tried to move the entire Indian nation, the Cherokees, to Oklahoma. Many died in the effort. The Trail of Tears that many of the people know about in this country, and it is displayed by drama from western North Carolina, depicts that movement, from those who stayed, that is, evaded capture by the soldiers, and from those who returned back to western North Carolina comes the Eastern Band of the Cherokees.

The Cherokees and I have fought together for some 25 years in many areas, both small and large, to maintain justice toward the American Indians. As was stated by my chairman very eloquently, the bulk of the Indian tribes were established by treaty, many of them following wars, incidentally, in this country.

What does it mean to be a federally recognized tribe? It means one takes on sovereignty or at least quasi-sovereignty in the eyes of the world. It means one has the power of taxation. It means one has the power to establish a judiciary, a police force, the right to treatment as a sovereign nation.

This relation is very unique in all the world. Tribes view it as almost sacred. Many American Indians died for that right. It must be taken seriously and protected.

Congress has tried its hand at defining Indian tribes. Because the process was so bad, so political, both the National Congress of American Indians, the American Indian Policy Review Commission, many leaders from both parties of this House came together and insisted in 1977 on a better way.

Thus was established the Federal Acknowledgment Program, and that has been the process that we have used since 1978.

The criterion they used is to examine the historical background of those who asked to be recognized as tribes, the genealogical background, the cultural background, any legal documents, a process that takes some time, as it should, in order to federally recognize a tribe.

What we are doing is to replace that orderly process or are being asked to replace that orderly process and again return to a method where Congress will make the determination. This is being

done contrary to the wishes of the vast majority of the American Indians.

Let there be no mistake about this vote. This is a vote against the American Indians, not for them.

The Cherokee Nation, which the Eastern Band of the Cherokees are located in my area, strongly oppose this bill. The Hatteras Tuscarora, located among the Lumbees, testified to our committee and they opposed this bill. They will be subsumed by this bill, and they themselves want to apply through the process to be recognized as a tribe.

We have received resolutions that support the FAP process and a strict adherence to a systematic process from various tribes in Arizona, California, Nevada, North Carolina, Oklahoma, Michigan, Washington, Montana, Idaho, New Mexico, and South Dakota, as well as from regional intertribal Indian organizations, including the affiliated tribes of northwest Indians representing all of the tribes in Washington, Oregon, Idaho, western Montana, and northern California, the Montana and Wyoming Tribal Chairmen's Council, the United South and Eastern Tribes, representing all of the eastern tribes from Maine to Florida and west to Louisiana, and the Southern Pueblo Governors' Council representing the 10 southern Pueblos from New Mexico.

What I am saying to my colleagues today is that the American Indian is proud. The American Indian has established a process for tribal recognition. They want to keep an orderly process, not a political logrolling process.

Do the Lumbees deserve Federal recognition, and that is a specific question here? I cannot answer that question. The testimony we heard was presented eloquently by members of the Lumbee community. The testimony we heard was very emotional.

I certainly want to see them get a rapid recognition and that it be done justly and fairly.

My colleague from Arizona will be introducing an amendment that will guarantee that it will be a rapid process, that it will be a process that will not extend beyond an 18-month period.

What of the other 10 groups in North Carolina who have petitioned and hold petitions ready for the process? If we decide to recognize the Lumbees, should we not immediately put before this body 10 separate bills to consider other groups in North Carolina?

And what about the dozens across this Nation, in California and Alaska and Texas and other parts of the country, who want to be recognized? Should we not put those bills before this Congress?

And what of those who were turned down? Can we say that those who were turned down should not be allowed to come back now through the legislative process and, if they can find a legislator here with enough power, they themselves can become federally recognized as a tribe of American Indians?

I say to my colleagues again that what the American Indians and certainly the Cherokee have expressed quite eloquently to me is that they do not object and do not question this bill based on whether or not there will be a financial loss to one tribe versus another tribe. They are not considering this from a monetary standpoint. We appropriate precious little now to support the tribes of this country, and I am sure that the tribes that I have talked with have expressed to me their concern that we will dilute a very sacred recognition, one that they consider is most serious.

They feel that it will return to a political process that will depend more on political power rather than true Indian heritage.

Mr. MILLER of California. Mr. Chairman, I yield 3 minutes to the gentleman from the Virgin Islands [Mr. DE LUGO].

Mr. DE LUGO. Mr. Chairman, I thank the gentleman for that recognition, and I rise today to join my colleague, the gentleman from North Carolina, in enthusiastic support for H.R. 1426, a bill to provide recognition of the Lumbee Tribe of Cheraw Indians of North Carolina.

Our colleague, the gentleman from North Carolina [Mr. ROSE] has worked long and hard on this legislation, and I am pleased to be one of the bill's cosponsors. I was pleased to vote to have this bill reported out of the Interior Committee.

We have heard some very eloquent arguments against this bill on the other side, but the fact is that the Lumbee Indians have been recognized by the State of North Carolina since 1885.

□ 1140

And they have been seeking Federal recognition not since last year or last month, but since 1888. They have been seeking this recognition longer than any of us in this body have been alive.

I would urge that my colleagues resist any amendment to this legislation and pass this legislation as it is presented to the House today.

I want to take a moment to commend the chairman of the Interior and Insular Affairs Committee for the strong leadership he has displayed on this issue, and for the manner in which he has handled this bill, making it possible for this matter to come before the entire body. I ask the Members to support the bill, H.R. 1426.

Mr. RHODES. Mr. Chairman, I reserve the balance of my time.

Mr. MILLER of California. Mr. Chairman, I yield 6 minutes to the gentleman from American Samoa [Mr. FALEOMAVAEGA].

Mr. RHODES. Mr. Chairman, I yield 1 minute to the gentleman from American Samoa.

The CHAIRMAN. The gentleman from American Samoa [Mr.

FALEOMAVAEGA] is recognized for 7 minutes.

Mr. FALEOMAVAEGA. Mr. Chairman, it is no secret where I stand on the issue of Federal recognition of the Lumbee Tribe of Indians. I think the actions of the U.S. Government in the process of recognition of the Lumbee Tribe is deplorable. Between the executive and legislative branches of our Government, 103 years have gone by since the Lumbees first attempted Federal recognition. During that time the Lumbees have tried to acquire a land base, they have tried to document their history, and they have been subjected to such demeaning processes of having the size of their teeth measured and their blood tested to see how Indian they were. There was a witness present at last month's hearing that testified before Congress in 1933 on this same issue. Fifty-eight years later, he is still testifying, BIA still wants to study the tribe's records, and Congress has yet another Lumbee bill before it.

It is the position of the Department of the Interior that there is a process in existence and if we would amend the law to permit the Lumbees to go through the process of administrative recognition, the Lumbees would receive no special consideration. The Department has also stated that there are many other groups seeking Federal recognition as Indian tribes, including as many as 14 in North Carolina alone. There is also a concern expressed publicly by some, but not publicly by the Department, that making another 40,000 persons eligible for Federal programs would present administrative and budgetary constraints.

In response to suggestions that the Lumbees should have the opportunity to participate in additional administrative procedures before a decision on recognition can be made, I can only say I disagree. Ms. Locklear, the Lumbees' tribal attorney, was eloquent in her statement at last month's hearing, and she summed up the problem when she said the Lumbees have become "living experts on process."

Where I differ from the opponents of this bill is that for me there comes a time when process for process's sake loses its value. I know it is difficult as a senior administrator to admit the process he or she administers may have run amuck, but as an outsider, I am convinced that is exactly what has happened with the Lumbees.

While it may not be appropriate for an assistant secretary or other senior administration officials to seek exemptions for certain groups from the bureaucracies they administer, I believe this is one of the key roles we in Congress can play.

While it might be procedurally nice for the Department of the Interior to provide a tidy review of each group that seeks recognition, sometimes justice requires otherwise. And the cost of

completing the process in this case, for me at least, is too high. The time has come for this body to take action.

The Lumbees first petitioned Congress for Federal recognition in 1888. That was 103 years ago. Since that time they have approached the Interior Department and the Congress at least a half dozen times. The Lumbees have been studied up one side and down the other. Finally, after 103 years the experts agree that the Lumbees are Indians. But the Department of the Interior wants to study the Lumbees some more. I guess the bureaucrats on the other side of the Mall want to study the Lumbees's petition because 103 years is not long enough to determine whether or not the Lumbees are Indians.

It is public record that the Interior Department has completed its initial review of the Lumbee petition and found it deficient. Apparently the Lumbees didn't keep sufficient written records of their existence for the period encompassing roughly the years 1760 to 1850 to convince the Department of the Interior that they existed. I guess the Department thinks that any group of people who don't make a paper trail to prove their existence aren't worthy of Federal recognition. While I know it is true that the Bureau of Indian Affairs exists only to create a paper trail, I can't help but think that the Lumbee case is a perfect example of a bureaucratic process run amuck.

Mr. Chairman, over the past 103 years the Lumbees have given the Department of the Interior all the documentation they have to prove their existence, and this is apparently not enough. At last month's joint hearing of the House Interior and Insular Affairs Committee and the Senate Select Committee on Indian Affairs on this bill, the BIA witness stated in his prepared testimony, and I quote: "A brief review of the Lumbee petition suggests that there are substantial questions relating to the interpretation and completeness of documentation supporting the group's early history."

Given that position, if this case gets referred to the Department of the Interior again, denial seems certain and it will only further delay a decision that Congress will be asked to make later. There will be no new material facts. There will, however, be a loss of another year and a half. And as the Nobel laureate Thomas Mann said in his book "The Beloved Returns."

Hold fast the time! Guard it, watch over it, every hour, every minute! Unregarded it slips away, like a lizard, smooth, slippery, faithless, a pixy wife. Hold every moment sacred. Give each clarity and meaning, each the weight of thine awareness, each its true and due fulfillment.

Mr. Chairman, I cannot express my concern for the time the Lumbees have lost any better than Thomas Mann did. The time has come to give

the Lumbees Federal recognition. Let's not let any more slippery, slithery moments slip by.

Mr. Chairman, it is also important to note that the policy of the United States has been terribly inconsistent with regard to the original inhabitants of this land. Our first policy was to do battle with them. The prevailing opinion at the time was epitomized by Gen. Philip Henry Sheridan in 1869 when he said: "The only good Indians I ever saw were dead."

Our next policy was that of assimilation, during this period the United States tried to make Indians part of mainstream America. Then in the 1950's and early 1960's, this country's policy was termination. It was during this time that the Lumbee Act of 1956 passed. Then there was the policy of reinstatement, and now we are in the policy of administrative recognition. This policy is relatively new, originating in 1978.

Throughout this entire period the Lumbees were seeking Federal recognition. In 1888 the Lumbees first petitioned for recognition. Congress addressed the Lumbee issue in 1899, 1910, 1912, 1924, 1932, 1933, and 1956. It is ironic indeed that U.S. citizenship was not even given to the American Indians until 1924, and it is important to note that while Congress was considered the Lumbees, many times it indicated that they were not being recognized because of economic reasons.

With regard to the 1956 Act, Congress recognized the Lumbees as Indians but denied them the services and benefits to which other Indians are entitled. Since then, the Lumbees have felt like second-class Indians.

Finally, Mr. Chairman, one of my colleagues referred earlier to the Indians' trail of tears. Mr. Speaker, to correct that it was the trail of many tears. To add to that I can only say the Lumbees' saga should be known as the trail of many years.

I want to commend Chairman MILLER and Chairman ROSE for their outstanding work on moving this bill as quickly as they have. I submit the following documents to be included in the record.

OBJECTIONS AND RESPONSES—LUMBEE RECOGNITION ACT, H.R. 1426

There is already an administrative process at BIA, why aren't the Lumbee using it?

The associate solicitor at the Interior Department rules in October 1989, that the Lumbee Tribe was ineligible to proceed through the BIA process, due to a statutory bar in the 1956 Lumbee Act (copy of opinion is attached). The 1956 Lumbee Act recognized the Lumbees by name, but prohibited them from receiving any benefits or services from the Federal Government.

Aside from present ineligibility, the historic bias of the BIA against Lumbee will preclude any favorable administrative action. BIA officials testified in opposition to the bill at a recent joint hearing with the House Committee on Interior and Insular Affairs and the Senate Select Committee on Indian Affairs. During the hearing, present

Branch of Acknowledgment and Research personnel made it clear that they intend to deny the Lumbee petition under current regulations despite the recommendations of other academic scholars.

Why not repeal the 1956 legislation, then require the Lumbees to proceed through the BIA process?

Congress has never required any Indian group to obtain both legislation and administrative action to become recognized. Over the 12 years that the Department's acknowledgment process has been in place, Congress has considered the status of nine other tribes subject to statutes that barred them from the administrative process. In each case, Congress enacted comprehensive recognition legislation. One of the situations, that of the Ysleta del Sur of Texas, is very similar to the Lumbee situation in that the tribe had no relationship with the Federal Government before the enactment of termination-type legislation that precluded administrative acknowledgment. The Lumbee Tribe is simply asking Congress to follow through with its past practice in these situations.

Has the Lumbee's Native American identity been firmly established?

The Committee's hearing record contains testimony from leading anthropologists and historians, notably Dr. William Sturtevant of the Smithsonian Institution, who have concluded that the Lumbee Tribe meet all the criteria for Federal recognition. The Lumbees were recognized by the State of North Carolina in 1885, and began seeking Federal recognition in 1888. In response to Federal bills, Congress asked the Interior Department to investigate the tribe's history and condition. On three separate occasions, in 1912, 1915, and 1933, the Department concluded that the Lumbees were indeed Indians, existing as a separate and independent community. The most comprehensive study, done in 1914, traced their origin to Cheraw and other coastal tribes. This study far exceeds in length and detail those presently done by the BIA on petitions for recognition.

If the record is clear, why haven't they already been recognized?

Each time a bill was introduced to recognize the Lumbee Tribe, the Department of the Interior testified in opposition, generally because of the size and consequent cost of recognizing the tribe. Recent history also reflects this concern on the part of the BIA. The Bureau's objections about the size of the Lumbee have come up repeatedly in off-record discussions between members of the Lumbee Tribe and some BIA officials. BIA officials often privately acknowledge that, had it not been for the size of the tribe, the Lumbee Tribe would have been recognized long ago.

Is the tribe's enrollment process legitimate so that only Lumbee Indians are enrolled?

The Lumbee Tribe requires documentation to prove eligibility of any individual who applies. An applicant must be a descendant of an ancestor that appeared on the 1890 and 1900 census. Of the 40,000 enrolled members, approximately 90 percent reside in Robeson and adjoining counties. All of the members have proven Lumbee ancestry and maintain close ties to the tribe and community. In addition, H.R. 1426 authorizes the Secretary of the Interior to verify the validity of the Lumbee roll.

Wouldn't Lumbee recognition open the floodgates for other tribes seeking recognition?

There will always be tribes who seek recognition legislatively, but most of these

tribes are eligible for the BIA process. The 1956 Act is one of two remaining termination era statutes that bars administrative action on tribal status according to the Department of Interior. The other legislation is Catawba which Congress will soon deal with as a land claims settlement. Therefore, Lumbee is the only remaining tribe to be dealt with. The Committee would be following precedent by recognizing the Lumbee legislatively and would not establish a precedent for any other tribe to do the same.

What about other Indian groups in Robeson and adjoining counties who are also ineligible for administrative action under the 1956 Lumbee Act?

Because of the close community ties and proximity, many of these Indian groups are inter-married and thus, inter-related. H.R. 1426 requires the Lumbee Tribe to re-open its roll to individuals enrolled in the other groups if those individuals qualify for enrollment as Lumbee. However, if these groups choose to be recognized independently of the Lumbee, H.R. 1426 would make these groups eligible to proceed through the BIA administrative process. Other than the Waccamaw-Siouan, the other groups that are genealogically-related will be able to pursue the BIA process.

Why do other tribes oppose the Lumbee bill?

Some tribes mistakenly think the Lumbees would be receiving preferential treatment if they were recognized legislatively. Others believe they will receive fewer benefits if the Lumbees are brought into the picture. Also, there are many tribes, especially those in the Western United States, who are not as familiar with the Lumbee and their special Eastern Heritage. Most of the Indians who have been willing to meet with them support their efforts.

What about the budgetary impact of Lumbee recognition on the needs of other tribes?

Several provisions are included to give the Appropriations Committee flexibility to address the needs of the Lumbee people, without threatening the budgets of other Federally recognized tribes. This legislation requires that any BIA funding for the Lumbee must come through a separate appropriation, separate from outlays for other Federally recognized tribes. This funding mechanism has been endorsed by Ross Swimmer, the former Assistant Secretary for the Department of Interior during the Reagan administration.

If H.R. 1426 was passed, it would be 2 to 3 more years before the Interior Department completed its evaluation of the tribe's membership rolls and budgetary needs.

U.S. DEPARTMENT OF THE INTERIOR, OFFICE OF THE SOLICITOR, Washington, DC.

Memorandum to: Deputy to the Assistant Secretary—Indian Affairs (Tribal Services).

From: Associate Solicitor, Indian Affairs.
Subject: Lumbee Recognition Legislation.

This responds to your request for assistance in interpreting the Act of July 7, 1956 (70 Stat. 254), the "Lumbee Act", in connection with developing a Departmental position on proposed legislation which would extend Federal recognition to the Lumbee Indians of North Carolina as a tribe.

The last sentence of section one of the Lumbee Act states: "Nothing in this Act shall make such Indians eligible for any services performed by the United States for Indians because of their status as Indians,

and none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Lumbee Indians."

Your acknowledgement regulations (25 CFR Part 83) do not apply "to groups which are, or the members of which are, subject to congressional legislation terminating or forbidding the Federal relationship." See 25 CFR §§83.3(e) and 83.7(g). Thus, the first issue is whether the language quoted above from the Lumbee Act is legislation "terminating or forbidding the Federal relationship" within the meaning of your regulations.

If the Lumbee Act is such legislation, your staff has no authority under your current regulations to act on the extensive petition submitted by the Lumbees. Moreover, even if your regulations were changed, absent Congressional action removing or clarifying the language quoted above from the Lumbee Act, the Federal government would be precluded from providing services or acknowledging a government-to-government relationship based solely on an administrative determination if the Lumbee Act is such legislation.

For the reasons briefly described below, we have concluded that, the Department would be exposed to substantial risks of litigation if it provided services or acknowledged a government-to-government relationship with the Lumbee Indians, together with the jurisdictional consequences of such a relationship, based solely on an administrative determination. I do not believe that you as a prudent trustee for those Indian tribes which have been acknowledged would be justified in committing the resources at your disposal to reviewing and making an administrative determination on the Lumbee petition knowing that there are unique circumstances surrounding the Lumbees as a result of the prior legislation which make a serious challenge to your determination inevitable.

You have recognized the uncertainty of your ability to proceed with the consideration of the Lumbee petition in the testimony the department gave before the House Interior Committee on September 26, 1989, on H.R. 2335. In that testimony, Patrick Hayes, Acting Deputy to the Assistant Secretary—Indian Affairs (Operations), requested that Congress clarify the situation in order for you to proceed with any certainty.

The meaning of the Lumbee Act is, unfortunately, simply not clear. This Department and counsel for the Lumbees have taken different positions on the meaning of the act over the last 15 or so years.

In 1977 and 1978, before your acknowledgement regulations were final,¹ this office informally took the preliminary position that the Lumbee Act was legislation which either terminated or forbade a Federal relationship within the meaning of the then proposed regulations.² Relying on the analysis submitted

by counsel for the Lumbees, the department changed this position when the House (95th Cong., 2d Sess.) held hearings on H.R. 11630, H.R. 12691, H.R. 12830 and H.R. 12996 in August of 1978. A copy of the analysis by counsel for the Lumbees is attached for your ready reference.

In arguing that the Lumbees were not precluded from petitioning for acknowledgement, counsel relied heavily on the opinion of the Court of Appeals in *Maynor v. Morton*, 510 F. 2d 1255 (D.C. Cir. 1975). *Maynor* involved a claim for benefits by individuals of Lumbee ancestry who had been certified as possessing one-half or more Indian blood under the Indian Reorganization Act of 1934 (IRA). The Court of Appeals considered the phrase "[n]othing in this Act" to be key and concluded: "Moreover, Congress was very careful not to confer by this legislation any special benefits on the people so designated as Lumbee Indians. But we do not see that Congress manifested any intention whatsoever to take away any rights conferred on individuals by any previous legislation [i.e., the IRA]." *Id.* at 1258, emphasis in the in the original.

Counsel for the Lumbees and our position since late 1978 may have read too much into the narrow holding of our Court of Appeals in *Maynor*. On further review, we believe a better interpretation is that that decision can properly be cited only for the proposition that the Lumbee Act did not take away rights which had previously vested in individuals under the IRA. To read the language more broadly and conclude that the section did not prohibit the provision of Federal services to persons who had not yet been certified under the IRA at the time of the Lumbee Act could be to render the section a nullity.

The interpretation of disclaimer provisions in legislation, such as those that commence with "nothing in this act", is admittedly extremely difficult. See for example, *South Carolina v. Catawaba Indian Tribe*, 476 U.S. 498 (1986). Thus, we are persuaded that, absent Congressional action clarifying or removing the language quoted above from the Lumbee Act, the Department would be exposed to serious risk of litigation if it provided services and recognized the special government-to-government relationship with these non-reservation based Indians solely on an administrative determination.

The risk of litigation is even greater in light of the substantial concentration of Lumbees in the townships around Pembroke. Absent clarifying legislation, an administrative determination that the Lumbees exist as a tribe will certainly result in substantial litigation over jurisdiction in those townships. In light of recent litigation in Vermont involving the Abenaki Indians, we would expect individual defendants to claim that these concentrations of Lumbees are "dependent Indian communities" and that the state, therefore, lacks jurisdiction. While the law in the area is unsettled, such claims are not frivolous. Legislation which ad-

ressed the jurisdictional issues, whether part of a bill acknowledging the Lumbees' tribal existence or as a separate bill, would be very helpful in maintaining law and order in the affected counties.

The position the Department took on the 1987 act to restore a Federal relationship with the Ysleta de Sur Pueblo (the Tiwas) is consistent with our present interpretation of the Lumbee Act. While the Department took the position that the legislation was necessary in the case of the Tiwas, there are significant differences between the Lumbee Act and the 1968 Tiwa which made it even clearer that the legislation was required for the Tiwas.³

Both acts do, however, contain "nothing-in-this-act" provisions which would invite litigation if the Department were to commence providing services and acknowledge a government-to-government relationship, with its accompanying jurisdictional implications, based solely on an administrative determination without clarifying Congressional action.

For all the above reasons, I am constrained to advise you that the Act of July 7, 1956 (70 Stat. 254), is legislation terminating or forbidding the Federal relationship within the meaning of 25 CFR §§83.3(e) and 83.7(g) and that, therefore, you are precluded from considering the application of the Lumbees for recognition. This clears the way for Congress to act on your recommendation to amend the 1956 Lumbee act so that you may proceed with the recognition process under 25 CFR Part 83 or to enact H.R. 2335 which would grant recognition to the Lumbee Tribe and settle any jurisdictional questions which might arise from such recognition by providing that criminal and civil jurisdiction resides in the State of North Carolina unless and until transferred as provided in the bill.

WILLIAM G. LAVELL.

BACKGROUND ON H.R. 1426

Nearly 40,000 Lumbee Indians are enrolled in the Lumbee Tribe with over 90 percent of these members residing in 18 communities throughout Robeson County and adjacent counties in rural southeastern North Carolina. Eligibility for tribal enrollment is limited to persons who were identified as Indian on source documents, including the 1900 and 1910 Federal census, dating from the early 1900's or who are determined by an Elders' Review Committee to be Indian, and the direct descendants of such persons. The Lumbee Indians have never had a reservation or received services from the Bureau of Indian Affairs (BIA) or the Indian Health Service (IHS) though they are eligible for and do receive funds from other Federal Indian programs because they are a state recognized tribe. The Lumbee Regional Development Association Inc. (LRDA) is presently the formal representative of the Lumbee Indians.

³ The Act of December 12, 1968, 82 Stat. 93 (the Tiwa Act), provided in Section 2, in pertinent part, that: "Responsibility, if any, for the Tiwa Indians of Ysleta del Sur is hereby transferred to the State of Texas. Nothing in this Act shall make such tribe or its members eligible for any services performed by the United States for Indians because of their status as Indians nor subject the United States to any responsibility, liability, claim, or demand of any nature to or by such tribe or its members arising out of their status as Indians, and none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Tiwa Indians of Ysleta del Sur." The transfer of responsibility to the State of Texas and the reference to the Tiwas, as a "tribe" distinguished this act from the Lumbee Act.

¹ The acknowledgement regulations were first issued as proposed regulations on June 16, 1977 (42 Fed. Reg. 30647) and reissued again as proposed regulations on June 1, 1978 (43 Fed. Reg. 23743). They were issued as final rules on September 5, 1978 (43 Fed. Reg. 39361) and became effective October 2, 1978.

² Our informal position with regard to the Lumbee Act was similar to the position taken with regard to the 1964 Pascua Yaqui Act. S. Rep. No. 95-719, 95th Cong., 2d Sess. 3, reprinted in 1978 U.S. Code Cong. & Ad. News 1761, 1762. In March 1978, the Assistant Secretary commented on a bill to extend Federal recognition to the Pascua Yaqui. He stated in part: "In view of the foregoing [pending revised proposed acknowledgement regulations and S. 2375, a bill to establish procedures and guidelines for extending federal services], the Administration recommends that the questions of extension of services to the Pascua Yaqui not be decided until after this Department's final regulations have been issued or general legisla-

tion has been enacted governing such extensions." * * * Instead of S. 1633 as introduced, the Administration would support a bill which would amend section 4 of the Act of October 8, 1964, (78 Stat. 1196) to remove a portion of that section which now precludes any possibility of extension of services to the Pascua Yaqui under administrative regulations. The language which we would support deleting from that section states that "none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Yaqui Indians." S. Rep. No. 95-719, 95th Cong., 2d Sess. 7, reprinted in 1978 U.S. Code Cong. & Ad. News 1761, 1766.

LRDA is a non-profit corporation organized in 1968. In 1984, the association was designated as an Interim Tribal Council.

While the exact origin and tribal derivation of the Lumbee Indians has been the subject of considerable dispute and uncertainty, ethnologists have testified in previous hearings that the tribe descends primarily from the Cheraw Tribe, a Siouan speaking tribe first encountered by Europeans in 1524. In 1914, Special Indian Agent O.M. McPherson, sent to investigate the history and condition of the tribe, concluded that the tribe was descended from the Cheraw Tribe. In 1934, John Swanton of the Bureau of Ethnology, agreed that the Lumbees were descended from the Cheraw Tribe. At a Select Committee hearing in 1988, Dr. Jack Campisi, the tribe's ethnohistorian, and Dr. William Sturtevant, general editor of the Smithsonian Institution's "Handbook of North American Indians," confirmed the Cheraw origins of the Lumbee Tribe. Dr. Sturtevant, acknowledged as the leading anthropologist specializing in American Indians, also observed that anthropologists are of the unanimous view that the Lumbees constitute an Indian tribe.

Throughout the 1700's, many references are found in newspapers and other accounts to an Indian community, sometimes designated as a Cheraw community, along "Drowning Creek," now called the Lumber River from which the tribe draws its present name. Many of the surnames of current tribal members are traced to ancestors of this period. Because of the precarious position of Indians in the early 1800's with the removal of many tribes to Oklahoma, the Indians of Robeson County became quiet about their Indian identity. However, incidents during and after the Civil War showed much activity in the Indian community, including recognition by local governmental authorities of this community as an Indian community. The major Lumbee folk hero, Henry Berry Lowrie, led a rebellious band at the close of the War until his disappearance in 1872. His memory is honored each summer when the Lumbees put on their outdoor drama titled "Strike at the Wind."

Lumbee history since the Civil War shows the continuous existence of a distinct Indian community with its own leaders who aggressively defend Lumbee interests. In 1885, the State of North Carolina recognized the tribe and established a separate school system for Lumbee children. Enrollment in the school was restricted to Lumbee children who could demonstrate Lumbee descent four generations back, or into the 1770's, with Lumbee leaders authorized to determine eligibility to enroll. These enrollment records, along with federal census records, form the base roll from which all present day tribal members must demonstrate descent. On March 26, 1913, the State's Attorney General Bikett issued an opinion that the county board of education could overrule decisions of the Lumbee leaders as to eligibility for enrollment in the Lumbee schools. The Lumbees objected to this infringement on their independence and under pressure from the Lumbee leadership, the State of North Carolina enacted legislation in 1919 that set aside the Attorney General's opinion. The Indian Normal School established under authority of the 1885 state statute is today Pembroke State University.

The contemporary Lumbee community is closely bound together by extensive and overlapping kinship ties in the strong sense of Robeson County and environs as "home." Other Indian institutions, including all Indian churches, a newspaper, an annual home-

coming, and predominantly Indian schools, serve to further bind the Lumbees together in a distinct community. In summary, the historical record is persuasive and compelling that for the last two hundred years the Lumbees have functioned as an Indian tribe and have been recognized as such by state and local authorities.

The Lumbees first petitioned the Congress for Federal recognition in 1888. Since then the tribe has made numerous attempts to achieve recognition of their status as Indians from the United States, including attempts that were made in 1899, 1910 and 1912. In 1914 an Indian Office investigation, carried out at the direction of the Senate, found that Lumbees were eligible to attend Federal Indian schools. Again in 1924, the tribe sought Congressional support, as well as in 1932 and 1933. The reports and studies done by the Department of the Interior on the tribe's history and condition in response to these bills fully document the Department's extensive knowledge about and experience with the Lumbee Indians. These bills generally tracked and followed upon state legislation which has been enacted recognizing the tribe under a particular name and in some cases extending certain services to the tribe. But in each instance, the Federal legislation failed. Always, the economic effects of recognition seemed to be the genesis for denial of Federal recognition.

In 1951, by a margin of 2,169 to 35, Robeson County Indians voted to adopt the name "Lumbee Indians of North Carolina" in preference to "Cherokee Indians of North Carolina" and, in 1953, the General Assembly of North Carolina passed a bill designating them as "Lumbee Indians of North Carolina."

In 1956, Congress enacted the Act of June 7, 1956 (70 Stat. 254) recognizing these Indians as "Lumbee Indians of North Carolina," but, at the request of the Department of the Interior, added a sentence providing that—

"Nothing in this Act shall make such Indians eligible for any services performed by the United States for Indians because of their status as Indians, and none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Lumbee Indians."

The 1953 state legislation was and is accepted by the State of North Carolina and the tribe as recognition legislation. The identical Federal bill was intended by the tribe to have the same legal effect. The tribe's historian testified before the Senate in 1988 that the tribe plainly intended and understood the 1986 Federal Act to be recognition legislation, evidenced by the hundred year history of the tribe's efforts to obtain federal recognition legislation upon the heels of and in the same terms as state recognition legislation.

Excerpts from the legislative history of the 1956 act support the view that the Federal bill had the same purpose as the earlier, identical state legislation, i.e., recognition of the tribe. Senator Scott, the sponsor of the 1956 bill, testified in support of the bill before a Senate subcommittee that, "The State of North Carolina has already by state law recognized the Lumbee Indians under that tribal name * * * Giving official [federal] recognition to the Lumbee Indians means a great deal to the 4,000 Indians involved * * *." During Congressional consideration of the bill, it was widely reported as a recognition bill in contemporaneous newspaper articles.

The amendment to the 1956 Act was apparently necessary in the view of the Depart-

ment of the Interior to insure that the bill did not obligate the United States to provide services to the tribe. (Comment of Assistant Secretary of the Interior, H. Rep. No. 1654, 84th Cong., 2d Sess.). However, the restriction on eligibility for services does not, by itself, affect the intent to recognize the tribe. The 1953 state act had not provided for services and yet it was and is accepted as recognition legislation.

The 1956 Lumbee Act served as the model for another act of Congress, namely the 1968 act relating to the Tiwa Indians of Texas (82 Stat. 93). The legislative history of the 1968 Tiwa Act states explicitly that the 1956 Lumbee Act is the model for the Tiwa legislation (H. Rep. No. 1070, 90th Cong., 2d Sess.). In 1987, the Congress extended full federal recognition to the Tiwas and in doing so, acknowledged that the 1968 Tiwa Act had recognized the Tiwas (S. Rep. 100-90, 100th Cong., 1st Sess.). If the 1968 Tiwa Act recognized the tribe, then its model—the 1956 Lumbee Act—must have recognized the Lumbees as well.

Concern has been expressed that passage by Congress of the bill to recognize the Lumbee Tribe of Cheraw Indians of North Carolina would be unfair to other tribes who are also seeking recognition through the Branch of Acknowledgment and Research (BAR). The Select Committee held an oversight hearing on BAR in May 1988 and it is clear from that hearing that the office charged with the responsibility in the Bureau of Indian Affairs for handling acknowledgment petitions is over-burdened and badly understaffed. It would also appear that the processes and criteria developed over the years may also be impeding the ability of the Bureau to handle these petitions with any degree of dispatch.

At that hearing, the BIA testified that there are some 83 petitioners, 57 of which have submitted no documentation and 26 with documented petitions that are awaiting consideration or are in the preliminary review process. They indicated that the entire process may take 3 or 4 years from the time the group begins its research. In fact, there is reason to believe the process may take twice this length of time.

Prior to 1978, there was no formal administrative process through which non-Federally recognized groups of Indians could seek recognition. In 1978, as a result of a recommendation made by the American Indian Policy Review Commission and the introduction of legislation, there was established by the Bureau of Indian Affairs in its Branch of Acknowledgment and Research (BAR) an administrative procedure, usually referred to as the Federal Acknowledgment Process (FAP), for such groups to petition for acknowledgment as a Federally-recognized Indian tribe.

The rules and regulations governing that process are set out in title 25 of the Code of Federal Regulations in Part 83, entitled "Procedures for Establishing that an American Indian Group Exists as an Indian Tribe." Section 83.7 sets out seven mandatory criteria that a petition must contain to qualify the petitioning group for acknowledgment as an Indian tribe as follows:

1. A statement of facts establishing that the petitioner has been identified from historical times until the present on a substantially continuous basis, as "American Indian" or "aboriginal."

2. Evidence that a substantial portion of the petitioning group inhabits a specific area or lives in a community viewed as American Indian and distinct from other populations

in the areas, and that its members are descendants of an Indian tribe which historically inhabited a specific area.

3. A statement of facts which establishes that the petitioner has maintained tribal political influence or other authority over its members as an autonomous entity throughout history until the present.

4. A copy of the group's present governing documents or, in the absence of a written document, a statement describing in full the membership criteria and the procedures through which the group currently governs its affairs and its members.

5. A list of all known current members of the group and a copy of each available former list of members based on the group's own defined criteria.

6. A statement that the membership of the petitioning group is composed principally of persons who are not members of any other North American Indian tribe.

7. A statement that the petitioner is not, nor are its members, the subject of congressional legislation which has expressly terminated or forbidden the Federal relationship.

On January 4, 1990, the Lumbee petitioners submitted an undocumented letter petition to the Bureau of Indian Affairs pursuant to the BAR process. On December 17, 1988, the LRDA submitted a documented petition for acknowledgement as an Indian tribe for the Lumbee Indians. Additional documents were submitted as recently as September 5, 1989. The LRDA petition consists of a two volume narrative report, one and a half file boxes of documentary evidence and a copy of the 16 volume membership roll. The LRDA petition is one of 12 petitions from North Carolina, including five groups in Robeson and adjoining counties where the Lumbee group is located.

The difficulty for the Lumbee Tribe in attempting to use the Administrative recognition process is further complicated by a finding of the Associate Solicitor for Indian Affairs of the Department of the Interior that the tribe is precluded from the Administrative recognition by virtue of the 1956 Act. The opinion, issued to the Assistant Secretary for Indian Affairs on October 23, 1989, states—

"... I am constrained to (hold) that the Act of July 7, 1956 (70 Stat. 254), is legislation terminating or forbidding the Federal relationship... and that, therefore, you are precluded from considering the application of the Lumbees for recognition. This clears the way for Congress to act on your recommendation to amend the 1956 Lumbee Act so that you may proceed with the recognition process... or to enact H. R. 2335 which grant recognition to the Lumbee Tribe..."

In recent years, in non-claim situations, the Congress has only been successful in moving recognition legislation in situations where an Indian group would clearly be denied access to the BAR petitioning process. Examples of this are the Pascua Yaqui Tribe which, having migrated from Mexico, was not indigenous to the United States and therefore ineligible to file a petition; and tribes such as those in Oregon which had been the subject of legislation terminating the Federal relationship, or tribes such as those in Texas which were the subject of legislation transferring jurisdiction to the State, and therefore deemed ineligible to file a petition for Federal recognition.

In the 100th Congress, legislation was enacted to provide for the separate recognition of the Lac Vieux Desert Band of Chippewa Indians in Michigan. This was a group al-

ready recognized by the Department of the Interior as a part of another tribal entity and already receiving some Federal services on the basis of their status as members of a Federally recognized Indian tribe. The Bureau of Indian Affairs testified that the group was not eligible to be considered under the BAR process and for this reason supported the legislative recognition. The tribe was also unanimously supported by the 29 other tribes in the local inter-tribal council, including the tribe from which it was separating.

It is clear that under some circumstances, recognition of a tribe is an issue that the Congress should address. Congress plainly has the Constitutional authority to recognize tribes. In fact, the overwhelming majority of the presently recognized Indian tribes were recognized by Congress either through treaty or statute. The present administrative acknowledgment process was established under general authority delegated by the Congress to the Department of the Interior, but there is no specific statutory authority for the process. Hence, the substantive criteria applied in the present administrative process and the procedures used by the Department in processing petitions are wholly administrative in origin. Obviously, Congress is not bound by those administrative criteria or procedures in determining whether to extend recognition to a particular tribe. Congress may take the administrative criteria into consideration along with a number of other factors, such as the general view of anthropologists and other experts, whether the tribe was ever recognized by Congress by treaty or statute, and the overall history and condition of the tribe.

The Lumbee Tribe argues that there are a number of reasons why legislation is needed to amend the 1956 Lumbee Act and extend full recognition to the Lumbee Tribe of North Carolina: (1) the Lumbee Indians were recognized by Congress through legislation in 1956, although services and the applicability of general Indian statutes were denied; (2) because of the final sentence of the Lumbee Act precluding the applicability of general Indian statutes, the Lumbee Tribe falls outside the scope of the BAR process which was established under authority of general Indian statutes; (3) the tribe has been officially and continuously recognized by the State of North Carolina since 1885 and unofficially since the 1830's and, as such, presently receives all Federal benefits available to Indian tribes except those administered by the Bureau of Indian Affairs and the Indian Health Service; (4) the tribe has been studied extensively by anthropologists and historians during the 20th century and is widely regarded as a tribe entitled to be federally recognized; (5) the tribe first petitioned Congress for recognition in 1888, long before there was an official BAR process imposed by the Administration, and the tribe has repeated its petitions a number of times over the past 100 years only to be turned down for economic reasons; and (6) because of the size of the Lumbee Tribe, the BAR is not adequately staffed or able to process the Lumbee petition within the time frame of the BAR regulations.

STATEMENT OF ADOLPH BLUE, CHAIRMAN OF THE BOARD OF DIRECTORS, LUMBEE REGIONAL DEVELOPMENT ASSOCIATION

The Lumbee Tribe has historically been governed by the heads of families who comprise the Lumbee Tribe. From time to time, this leadership has exercised its sovereignty by shaping the tribal form of government to

meet the challenges presented by local, state, and federal governments. During the Civil War, following decades of living at peace with its non-Indian neighbors, the tribal leadership responded to acts of deprivations by engaging in warfare against its non-Indian citizens. Following that war, and the larger Civil War, the leadership of the tribe pursued a political relationship with the State of North Carolina which led to the recognition of the tribe in 1885 by the State of North Carolina. Four years later, the tribal leadership petitioned the United States for federal Indian assistance, but were denied because of insufficient funds to meet the need of existing Indian "wards". Into this century, the tribal leadership has continued its effort to come under federal protection. On three separate occasions, since the turn of the century, the U.S. Department of the Interior has sent its Indian agents to Robeson County to investigate the tribe. In each of these instances, these Indian agents have consistently reported to the Interior of the tribal existence of the Lumbee. Yet, the Interior withheld assistance because of an inability to serve existing wards.

Finally, in 1956, the United States Congress enacted the Lumbee Act of 1956 which acknowledged the tribe to be American Indian while denying the tribe the federal relationship it had continuously sought since 1889. Twelve years after the enactment of the 1956 Lumbee Act, the leadership of the tribe organized Lumbee Regional Development Association to address its concerns before local, state, and national bodies. The Board of Directors for Lumbee Regional Development Association was subsequently authorized under a 1984 tribal referendum to represent the tribe's interest in obtaining full federal acknowledgment. My name is Adolph Blue, and I am the great-grandson of Preston Locklear, one of the fifty-four tribal leaders, who petitioned the Congress in 1889 for the federal acknowledgment of the Lumbee. I am also Chairman of the Board of Directors for Lumbee Regional Development Association, the interim governing body of the Lumbee Tribe.

The Board of Directors of Lumbee Regional Development Association (LRDA) has taken on many of the functions normally performed by tribal councils in other tribes. For example, in 1984 the Board of Directors held a referendum to get tribal permission to act as an interim tribal council for federal recognition. The referendum passed overwhelmingly. Yet, the more traditional forms of Lumbee organization have remained, and the community values regarding leadership have continued.

Politics within the Lumbee Tribe continues to be the product of the complex interplay of family, religion, and settlement. As in the past, each settlement has its individuals who are regarded as leaders, people who can be called upon for assistance and guidance, and who will seek help for others without request.

The changes in voter registration have enabled more tribal members to seek and win public office at a variety of levels—school boards, county commissioners, political party and town offices. The Lumbees have a large cadre of lawyers, including two judges (Superior Court and District Court), a representative in the North Carolina General Assembly, doctors, businessmen, and other professionals who take an active part in the tribe's political affairs. Because of the tribe's stress on individualism, there are always many approaches to the solution of any problem.

Historically, much of the visible Lumbee political organization has been problem-ori-

ented. Thus the nineteenth and early twentieth century efforts to improve educational opportunities for the tribe and to attain federal and state recognition have revolved around specific issues and charismatic leaders. This continues to the present day. In this century, tribal leaders such as Mr. Joseph Brooks and Mr. James "Jim" Chavis led the tribe's efforts in the 1930s for federal acknowledgment. In the 1950s, Rev. D.F. Lowry led a sustained effort that had widespread community support of the Lumbee bill. Later, in the same decade, the Lumbee responded to threats by the Klu Klux Klan by attacking their rally in Maxton.

In the 1960s the tribal members organized to fight the desegregation of their schools and to increase their political power in the country through voter registration. There were other issues that focused tribal energies. In 1972, the Board of Trustees announced plans to replace the main building on the campus of Pembroke State University. A group, led by Janie Maynor Locklear, Danford Dial, Luther M. Moore, and W.J. Strickland, successfully fought the proposal, and after the building was destroyed by fire, they were able to get the state to reconstruct it. While the "Old Main" issues was going on, many of the same leaders led the fight to have "double voting" ended. This was a system that permitted whites to vote in both one of the five separate school districts in the county that were largely white and also in the county-wide school system which was 60 percent Indian. This fight was successfully led by Janie Maynor Locklear, Dexter Brooks, Herbert Moore, and Robert Mangum. When they were unsuccessful in

getting legislative relief, they filed a legal action, which they won in 1975.

As in the past, there are leaders who have established strong contacts with the non-Indian politicians in both parties (although Lumbees tend to be Democrats). These individuals are capable of helping Lumbees with the law, securing state and county positions, and bringing to the public officials in Lumberton (county seat of Robeson), Raleigh, and Washington the view of the tribe on a variety of concerns. While LRDA has served to focus many of the tribal interests, and has acted as a voice for many tribal concerns, particularly those that have to do with other tribes and Indian associations, it is not the sole mechanism by which tribal members give expressions to their needs and opinion.

The Lumbee have elected leaders to represent their interests in the county government, school boards, and state government. The tribe also has members who serve on State and federal panels. In addition, there are tribal members who exert great influence in the county and state.

DESCRIPTION OF THE INTERIM GOVERNING BODY OF THE LUMBEE TRIBE

There are seventeen members of the Board of Directors for Lumbee Regional Development Association. Fourteen of these directors are elected by tribal members residing in Robeson County, North Carolina. The fourteen elected directors of the Board elect three additional directors to represent the Lumbee population residing outside Robeson County. Board members serve staggered terms of three years.

LRDA DISTRICT III

(Includes 10 Robeson County precincts; elects 2 members to the LRDA Board of Directors)

Precinct	Total population	White	Black	Indian	Other
1-8 Lumberton	24,324	13,926	6,940	3,330	158
Wishart	3,687	2,429	202	1,030	26
E. Howell	1,564	1,228	182	149	5
Total	29,575	17,583	7,324	4,479	189
Percentage	100	59	25	15	1

LRDA DISTRICT IV

(Includes 5 Robeson County precincts; elects 2 members to the LRDA Board of Directors)

Precincts	Total population	White	Black	Indian	Other
Burnt Swamp	2,644	101	154	2,381	8
Philadelphus	1,554	264	187	1,101	2
1-2 Red Springs	5,453	1,823	2,609	996	25
Raft Swamp	2,618	488	317	1,806	7
Total	12,269	2,676	3,267	6,284	42
Percentage	100	22	27	51	

LRDA DISTRICT V

(Includes 3 Robeson County precincts; elects 2 members to the LRDA Board of Directors)

Precincts	Total population	White	Black	Indian	Other
1-2 Smiths	4,463	216	204	4,034	9
Maxton	5,621	1,010	2,556	2,034	21
Total	10,084	1,226	2,760	6,068	30
Percentage	100	12	27	60	1

LRDA DISTRICT VI

(Includes 3 Robeson County precincts; elects 3 members to the LRDA Board of Directors)

Precincts	Total population	White	Black	Indian	Other
Pembroke (1 & 2)	9,606	1,059	326	8,184	37

LRDA DISTRICT VI—Continued

(Includes 3 Robeson County precincts; elects 3 members to the LRDA Board of Directors)

Precincts	Total population	White	Black	Indian	Other
Union	1,944	208	379	1,356	1
Total	11,550	1,267	705	9,540	38
Percentage	100	11	6	83	

LRDA DISTRICT VII

(Includes 3 Robeson County precincts; elects 3 members to the LRDA Board of Directors)

Precincts	Total population	White	Black	Indian	Other
Gaddys	971	191	250	528	2
Rowland	2,755	701	1,300	751	3
Alfordville	1,650	199	237	1,212	2
Total	5,376	1,091	1,787	2,491	7
Percentage	100	20	33	46	1

LRDA DISTRICT VIII

(Includes 3 Robeson County precincts; elects 3 members to the LRDA Board of Directors)

Precincts	Total population	White	Black	Indian	Other
W. Howell	1,302	575	341	368	18
Saddletree	2,749	415	140	2,182	12

Robeson County is divided into 41 precincts. In land size, Robeson County covers 844 square miles and is North Carolina's 2nd largest county. The LRDA electoral plan for electing the 14 Board members divides the 41 precincts into 9 LRDA electoral districts. The following tables list these electoral districts with the racial population of each district; the data is based upon the 1990 census. (The Board is now studying re-districting based upon this data.)

LRDA DISTRICT I

(Includes 6 Robeson County precincts; elects 1 member to the LRDA Board of Directors)

Precinct	Total population	White	Black	Indian	Other
1-2 Fairmont	6,120	2,001	2,863	1,241	15
Orrum	1,494	862	544	78	10
Marietta	1,170	564	542	56	8
Sterlings	1,277	921	297	48	11
Thompson	1,073	214	154	701	4
Total	11,134	4,562	4,400	2,124	48
Percentage	100	41	40	19	

LRDA DISTRICT II

(Includes 3 Robeson County precincts; elects 1 member to the LRDA Board of Directors)

Precinct	Total population	White	Black	Indian	Other
Back Swamp	3,747	400	1,018	2,305	24
Smyrna	1,074	495	120	459	0
Britts	1,757	1,391	139	216	11
Total	6,578	2,286	1,277	2,980	35
Percentage	100%	35	19	45	1

LRDA DISTRICT VIII—Continued

(Includes 3 Robeson County precincts; elects 3 members to the LRDA Board of Directors)

Precincts	Total population	White	Black	Indian	Other
Total	4,051	990	481	2,550	30

LRDA DISTRICT IX

(Includes 3 Robeson County precincts; elects 3 members to the LRDA Board of Directors)

Precincts	Total population	White	Black	Indian	Other
St. Pauls (1 & 2)	6,285	3,738	1,982	534	31
Rennett	1,923	142	222	1,559	0
Parkton	2,189	1,340	707	133	9
Lumber Bridge	1,513	475	716	304	18
Shannon	647	94	189	360	4
Total	12,557	5,789	3,816	2,890	62
Percentage	100	46	30	23	1

Total population for Robeson County, 1990 Census: 103,174.

Number and percent white: 37,470 or 36.3 percent.

Number and percent black: 25,817 or 25.0 percent.

Number and percent Indian: 39,406 or 38.2 percent.

Number and percent other: 481 or 0.5 percent.

One-third of the total county population is located in 13 precincts. As illustrated below, two-thirds or more of the population in each of these 10 precincts is American Indian, representing the greatest concentration of tribal membership.

Precinct	Total population	Indian—		LRDA electoral district
		Number	Percent	
Pembroke	9,606	8,184	85	VI
Union	1,944	1,356	70	VI
Smiths	4,463	4,034	90	V
Saddletree	2,749	2,182	79	VII
Back Swamp	3,747	2,305	62	II
Burnt Swamp	2,644	2,381	90	IV
Raft Swamp	2,618	1,806	69	IV
Alfordville	1,650	1,212	73	VII
Philadelphus	1,554	1,101	71	IX
Rennet	1,923	1,559	81	IX
Thompson	1,073	701	65	I
Total	33,971	26,821	79	

In terms of community identification, the precincts listed previously cover the Lumbee communities of Pembroke, Prospect, Magnolia, and Fairgrove.

REPRESENTATION OF TRADITIONAL LUMBEE LEADERSHIP FAMILIES ON LRDA BOARD

As noted above, the tribe has been traditionally led by certain family heads. This same pattern continues today, as shown by the descent of LRDA board members from those families. Of the 17 members of the board, six are direct lineal descendants, for example, of the 54 tribal leaders who petitioned the Congress in 1889:

Board member	Tribal leader ancestor	Relation to ancestor
Adolph Blue	Preston Locklear	Maternal great-grandfather.
Grover Oxendine	Hugh Oxendine	Paternal great-grandfather.
James S. Sampson	Everette Sampson	Paternal great-grandfather.
	William Sampson	Paternal great-grandfather.
	Robert Carter	Paternal great-grandfather.
	Stephen Carter	Paternal great-grandfather.
Roderick Locklear	Crawley Locklear	Paternal grandfather.
	Malachi Locklear	Paternal great-grandfather.
Emma L. Locklear	Malachi Locklear	Paternal great-grandfather.
A. Bruce Jones	Silas Deese	Paternal great-grandfather.

While other Board members are not direct lineal descendants of the 54 tribal leaders who petitioned in 1889, all have a kinship relationship to the 54 tribal leaders who first petitioned the Congress in 1889. The below examples illustrate the kinship relationship for three of the LRDA Board members to one or more of the 54 tribal leaders who petitioned in 1889:

Rev. Grover Oxendine.—Rev. Oxendine's paternal grandfather, Hugh Oxendine, had 2 brothers and 4 nephews who were among the 54 Petitioners in 1889.

Sylvia (Clark) Locklear.—Mrs. Locklear's maternal grandfather and her paternal great grandfather were the brother and sister of Preston Locklear, one of the 54 Petitioners in 1889. In addition, another paternal grandmother was the sister of John Bullard, and the sister-in-law of Malachi Locklear. Both John Bullard and Malachi Locklear were among the 54 Petitioners in 1889.

Marilyn (Locklear) Dial.—Mrs. Dial's paternal great great grandfather and her maternal great grandfather were the brothers of Preston Locklear, one of the 54 Petitioners; they also had two nephews who were among the 54 Petitioners.

All of the 17 Board members are direct lineal descendants of tribal ancestors who are known to have occupied the present day

Lumbee communities in the late 1700s; 15 of the 17 Board members reside in communities that are viewed as Indian communities. 1 of the 17 Board members resides in the Raleigh, NC area; and another resides in the Baltimore, Md. area.

All of the 17 Board members attended public schools that were governed and controlled by the tribal leadership, up until 1971 when Indian schools were desegregated. One of the 17 Board members is also an elected member to the Robeson County Board of Commissioners; another is the Executive Director of the NC Commission of Indian Affairs and a former Vice President for the Southeastern District to the National Congress of American Indians; another is an elected member to the NC Commission of Indian Affairs' Board of Directors; as a whole, LRDA Board members serve on many local, state, and national political bodies.

TRIBAL GOVERNMENTAL FUNCTIONS PERFORMED BY THE LRDA BOARD OF DIRECTORS

The LRDA Board of Directors establishes policy and provides direction to the staff of LRDA in addressing the needs of the Lumbee Tribe. Currently, LRDA administers a total budget of \$3.5 million to address the needs of the tribe residing in Robeson and adjoining counties. Approx. 77% of these funds are federal funds received by LRDA because of the tribe's longstanding recognition by the State of North Carolina.

As stated previously, the LRDA Board of Directors has over the years gradually performed many of the functions normally performed by tribal councils among other tribes. In 1984, by tribal referendum, organized by the Board of Directors, the members of the tribe voted to designate the Board of Directors as the interim governing body of the tribe.

Examples of the governmental functions performed by the Board of Directors include:

1. The Board of Directors decides the membership criteria for the membership of the tribe. Decision of the Board with respect to eligibility for tribal membership is final.

2. The Board of Directors establishes election procedures and conducts tribal elections for the purpose of electing the tribal delegation to the NC Commission of Indian Affairs' Board of Directors.

3. The Board of Directors appoints tribal membership to area Boards, including: The NC Cultural Center, the NC Indian Housing Authority, the Lumbee River Legal Services, and the Four-County Community Action Agency.

4. The Board of Directors, through the Lumbee tribal membership criteria, decides who is 1/4 Lumbee blood for purpose of qualifying for the Michigan tuition waiver.

5. The Board of Directors sponsors an annual Homecoming of the tribe, the tribe's fall pow-wow, and determines those who receive the tribe's award for outstanding services in the Lumbee community, excellence in education and economic development, and the Henry Berry Lowry Award (the tribe's most prestigious award).

6. The Board of Directors establishes fees for the tribal owned and operated day care centers.

7. The Board of Directors negotiates contracts and other instruments which raise capital for tribal economic development projects.

8. The Board of Directors employs legal representation to represent the tribe's interest in federal acknowledgment.

9. The Board of Directors elects the tribe's delegate to the National Congress of American Indians and the Lumbee representative to the United Tribes.

10. The Board of Directors recommends tribal nominees to the National Advisory Council for Indian Education (all are Presidential appointees).

BRIEF HISTORY OF LUMBEE REGIONAL DEVELOPMENT ASSOCIATION

In 1968, tribal leaders met to discuss the way by which the members of the Lumbee Tribe could formally organize to benefit from the various poverty programs then available. The members of the group held the conviction that although the Lumbees represented a third or more of the population of the county, they were not receiving the fair share of the available services and resources. Out of these informal meetings and discussions, often held in the Lumbee Churches and well intended by the heads of the Lumbee families, came a plan for the Lumbee Regional Development Association, Inc.

The first task faced by the newly chartered corporation was to organize an infrastructure that reflected its goals of improving the conditions of the tribal members within Robeson and adjoining counties. The corporate charter provided for a Board of Directors of not less than four members. However, this stipulation offered little guidance for developing a community-based organization. To remedy this, the Board of Directors took two steps: it expanded its size to nine members, and it appointed a steering committee of fifteen representing every sector of the Lumbee community.

LRDA continued its efforts to expand its role in the Lumbee community and to involve larger segments of the community. It appointed individuals from the various settlement to serve on committees and hold general membership meetings on a regular basis. To broaden its leadership base and to meet the needs of an expanding organization, the Board of Directors increased its membership to nine in 1971.

In 1975, LRDA's charter was changed to permit the election of the Board of Directors by members of the Lumbee tribe. The charter was amended to expand the board membership to seventeen members; fourteen are elected by districts and three are elected by the Board to represent the Lumbee population in Hoke and Scotland Counties (both adjoin Robeson), Raleigh, NC, and Baltimore, MD. The terms of all board members are for three years and they are elected on a staggered schedule, 5-5-4. Each electoral district, based upon the 1980 Census, has a minimum population of 2,000 Lumbee Indians. Since its inception, LRDA has had four Executive Directors.

PROGRAM DEVELOPMENT AND FUNDING

LRDA received its first grant from the National Congress of American Indians to carry out a literacy project among tribal members. The grant, a modest \$4,300, was for a term of one year. Within a year, LRDA had established, through its directors and Steering Committee, adult classes in a number of Indian settlements. They were staffed by Lumbee teachers on a voluntary basis. A second project called the Lumbee Educational Talent Search Project was initiated to identify potential drop-outs in junior high levels and to assist in identifying exceptionally talented students in the senior high levels for assistance in scholarships and loan programs for Indian students. LRDA sought and received funding for a wide range of social and economic activities, including senior citizen health care, job training, nutrition, and elementary and secondary school programs.

One can get some idea of the success and impact of LRDA on the Lumbee community

by looking at the programs operated by the organization. In 1991, LRDA has a total budget of \$3,528,482 and directs 13 programs. Of this total, \$2.2 million is Indian set-aside funds, to operate the Employment and Training program and the Low-Income Energy Assistance program.

Carolina sunbelt media	\$1,160,000
Day care	400,000
CFNP	50,000
Lumbee Federal recognition	30,000
Head Start	342,154
JTPA	1,293,607
Energy	870,000
Talent search	99,288
Adm. for Native Americans	100,000
Lumbee homecoming	20,000
CSBG	130,000
CAA	8,436
Pool	25,000
Total	3,528,482

TRIBAL RECOGNITION

The third area of concern, and the one that set LRDA apart from other agencies concerned with rural poverty, had to do with the organization's efforts to act on behalf of the Lumbee Indians and to enhance the understanding of others concerning the tribe.

Since its inception, LRDA has responded to three principal concerns related to Lumbee tribal identity. They are: (1) activities that express the Lumbees' sense of identity, (2) the tribe's relationships with other tribes and Indian organizations, and (3) the tribe's relations with the state and federal governments.

1. Activities: While during the early years of the organization, the principal concerns addressed had to do with economic and social improvement of the Lumbee population, LRDA from its inception was involved in the organization of the Lumbee Homecoming initially a joint venture with the Pembroke Jaycees. After 1971, LRDA took over sole responsibility for the planning and execution of the event.

In addition, LRDA has sponsored a number of programs of a cultural nature. Until recently, when funding was withdrawn due to federal cut-backs, LRDA directed the Lumbee River Native American Center for the Arts, whose objective was to provide gifted students experience and training in the area of music, dance, visual arts, drama, speech and creative writing. The program enrolled 350 students with a curriculum based on an Indian course of study and the talents of the students were given exposure through performances at the local high schools, Pembroke State University and other public functions. There were recitals, performances of plays and dance, and art exhibits.

2. Relations with other Tribes and Indian Organizations: In 1972, LRDA sent a representative to the NCAI annual convention in Florida. However, by the mid-1970s a split had developed between the Lumbee leadership and the NCAI over the role of the non-federally recognized tribes and LRDA took the lead in articulating the tribal position. Beginning in 1974 the delegates to the annual NCAI convention passed the two resolutions that were anti-Lumbee; one passed in Portland, Oregon, called for the replacement of Adolph Dial as a member of the American Indian Policy Review Commission, while the other called upon the United States to cease funding non-recognized tribes. In January, 1976 the Executive Council of the NCAI passed a resolution that included the following section: Resolved: That all governmental agencies cease granting of funds that are earmarked for the Indian tribes of our coun-

try to those organizations that are not federally recognized (AIPRC 1976: 1693).

The Lumbee leaders of LRDA were quick to respond, sending off letters to the NCAI, newspapers, and governmental officials condemning this attack.

The Lumbee tribe was the target of similar discrimination from the United Southeastern Tribes (USET). In this instance USET submitted a proposal to the Department of Health Education and Welfare in which it specifically excluded the Lumbee tribe. By 1980, these organizations had changed their views and the Lumbee tribe was accepted fully.

The Lumbee tribe through LRDA also belonged to the Coalition of Eastern Native Americans (CENA) until its demise in 1976. CENA grew out of a conference held in Washington in 1972, organized by two Lumbee leaders, Helen Schierbeck and W.J. Strickland. Over 200 delegates from recognized and non-recognized tribes, communities and groups east of the Mississippi River attended. Strickland was chosen to direct the new organization, which at its height, included sixty tribes and associations covering the area from Maine to Louisiana, as members. The organization's decline was the result of a number of factors: the virulent feelings against non-federally recognized tribes that characterized the period, shifts in federal funding priorities, and the very growth of the organization that resulted in administrative problems that could not be easily resolved.

The leaders of LRDA, in addition to their efforts to promote tribal objectives with national Indian organizations, saw the need to further the relationship with state authority. As has been noted previously, Lumbees have always had some influence in state politics, but this effort was to be on a pan-tribal basis. In 1970 leaders from LRDA approached Governor Robert Scott with the idea of establishing a state commission on Indian Affairs. Scott was initially cool to the idea but influential Lumbee leaders like John Willie Oxendine and Ruth Dial Woods contacted the governor and were able to get a planning group organized. In 1971 the state established the Commission of Indian Affairs as an independent agency, and Early Maynor, a member of LRDA's Board of Directors, was named as the first executive director. In 1977 the commission was changed from an independent agency to a special advocacy agency under the Department of Administration. A. Bruce Jones succeeded Early Maynor as the executive director in 1976. The North Carolina Indian Commission (NCIA) continues to be a major voice in state Indian policy, showing the influence of the Lumbee tribal leaders on regional Indian Affairs.

In 1975, LRDA and NCIC held a staff retreat to discuss common concerns. One of the products of that retreat was the establishment of an annual conference, the North Carolina Indian Unity Conference. The conference has been immensely successful, growing from 100 participants in 1975 to over 600 in 1986, and has developed from a one day workshop to a three day event that includes general assemblies, workshops, talent shows, pow-wows, banquets and dances. Featured speakers have included the state's governors, and other state and federal officials including individuals from the U.S. Office of Indian Education, Administration for Native Americans, U.S. Department of Labor, and Housing and Urban Development. The conference also provides a forum for candidates for state-wide offices. Throughout the period LRDA leadership has been deeply involved

not only in the affairs of NCIC, but also in the development of the Unity Conferences.

Until 1983 the Unity Conference was sponsored by NCIC, but in that year a new organization—United Tribes of North Carolina (UTNC)—took over the program. This organization consists of the tribes and Indian organizations within the state and was formed to carry out activities that could not be handled by the state agency. The revenue from the Unity Conference is used to finance the organization's activities.

3. State and Federal Relations: Considerable information has already been presented concerning the relationship of the Lumbee tribe with the state of North Carolina Indian Commission. Beyond that, it has maintained close ties with the state's governors and legislators. As an example of its relationship with the state government, when LRDA needed funds to continue its enrollment it sought and received help in the form of a grant from the state.

As has been described, the Lumbees have maintained a close relationship with the national government since at least the 1880s. The development of LRDA continued and augmented that relationship.

POSITION OF THE INTERIM GOVERNING BODY OF THE LUMBEE TRIBE ON S. 1036 AND H.R. 1436

The interim governing body of the Lumbee Tribe of the Cheraw Indians fully support enactment of S. 1036 and H.R. 1436.

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Mr. MILLER of California. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. LANCASTER].

Mr. LANCASTER. Mr. Chairman, as the Member who represents probably more Lumbee Indians than any other member other than the gentleman from North Carolina [Mr. ROSE], I rise today in support of H.R. 1426, which would give Federal recognition to the Lumbee Tribe of the Cheraw Indians of North Carolina. The State of North Carolina has recognized the Lumbee Indians since 1885.

Federal recognition means that the Lumbees would be identified as a unique political entity, an Indian tribe. Acknowledgment of the tribe's governmental powers as limited by Federal law, would make the Lumbees eligible for certain benefits, such as services provided by the Bureau of Indian Affairs and Indian Health Service.

On three different occasions earlier this century, the Department of the Interior recognized the Lumbees as Indians. In 1956, Congress went part way; the Lumbees were given tribal recognition, but were prohibited from receiving Federal Indian services and full Federal status to the tribe. Only two other tribes have been dealt with in this manner, the Pasqua Yaqui of Arizona and the Ysleta del Sur of Texas. Both tribes have been granted the full Federal recognition by Congress, in 1978 and 1987, respectively.

My friend and colleague, the Honorable CHARLIE ROSE, is making an effort in his legislation to correct a 100-year inequity by making right a long-time injustice, that of the recognition of the

Lumbee Tribe of North Carolina. In the interest of fairness, I urge my colleagues to support H.R. 1426 and defeat any amendments.

Mr. MILLER of California. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. VALENTINE].

Mr. VALENTINE. Mr. Chairman, I thank the gentleman for yielding me this time. I do not believe that I will use all of it.

Mr. Chairman, I simply want to take this opportunity to express my appreciation to my colleague, the gentleman from North Carolina [Mr. ROSE], in whose district the majority of Lumbee Indians in North Carolina reside, to thank the committee for addressing this matter and allowing the bill to come to the floor of the House, and to express my thanks and appreciation to all of those others who have participated in the events which enabled us to come to the place where we are today.

I want to say, Mr. Chairman, that with the assurances that have been expressed by those who addressed this question and came to the well before me on the question of money, the assurances built into the legislation, as I understand it, that this recognition of the Lumbee Indians in North Carolina will not take funds from any other Indian tribe or group of native Americans.

I must say that it causes me some pain to be confronted with the fact that there are other groups of native Americans even in the State of North Carolina who oppose recognition of their fellow native Americans. I would hope and expect that, with this small number of citizens, other Indian groups such as the Cherokees in western North Carolina, so ably represented by our colleague, the gentleman from North Carolina [Mr. TAYLOR], would not oppose this legislation but would welcome with open arms their brothers and sisters into the tribal campgrounds.

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. RHODES. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina [Mr. TAYLOR].

Mr. TAYLOR of North Carolina. Mr. Chairman, there has been some comment made about North Carolina's recognition of the Lumbees. I think if we look back at the historical record, the Indian group that is coming before us as Lumbees was recognized roughly in the 1950's rather than in the 1885 period as Lumbees.

What we find there is that in 1855, the State of North Carolina designated a group of Indians in Robeson, Richmond, and Sampson Counties, and they were to be known as the Croatan Indians. In 1913, the State legislature passed an act indicating that Indians in this area would be known and designated as the Cherokee Indians of

Robeson County. In 1971 the legislature enacted a law indicating that the Indians in Bladen and Columbus and adjoining counties to Robeson County, including Indians living around the Lumber River, from which the Lumbees chose their name, shall be designated and officially recognized as the Waccamaw Tribe of North Carolina, and then, of course, we have the 1953 designation of the Indians in Robeson and adjoining counties along the Lumber River as the Lumbee Tribe. That is the North Carolina history.

Now, I am not taking from the gentlemen who are here speaking for the Lumbees. What I am saying is that this shows that this is an extremely complicated issue.

What of the Hatteras-Tuscaroras who are among the Lumbees who have separate tribal application who are being subsumed by this legislation? Do they not deserve some recognition and fairness?

It is a complicated issue, and we should not be debating it on the floor of Congress. It should be going through an organized process, not a political process.

Mr. RHODES. Mr. Chairman, in closing, I yield myself such time as I may consume.

Let me just simply make a couple of observations about some of the statements that have been made in support of this legislation.

There is no defense, none, for the way the Department of the Interior and the Bureau of Indian Affairs has strung out the process, not just for this group of people, but for virtually all who have petitioned.

It is true, in lukewarm defense, that many petitioners do take an inordinate amount of time to complete their petitions and to get all the information needed in to the Department. But specifically as to the Lumbees, in my particular way of thinking, it is unconscionable that the Solicitor of the Interior took 8 years to determine, rightly or wrongly, that the 1956 act precludes administrative consideration of the Lumbee application. The Solicitor of the Interior knew in 1981 that the Lumbees were going to petition. Yes, it took the Lumbees 7 years to complete their petition, but certainly in 1981 the Solicitor would have been in a position to say, "Do not bother completing your application, because the 1956 act will not let you process it."

Nobody on this side is defending the way the Department of the Interior has treated this application. What we are saying, though, is that this legislation is simply an invitation to everybody who is currently petitioning and to everybody who is thinking about petitioning to ignore that and to come to Congress and to say, "We wish legislative recognition."

If we think that we have had to agonize over the Lumbees for as long as we

have, and we have here in this body, then I would suggest that we prepare ourselves for a lot more agony if we say to native Americans who wish Federal recognition, "Do not bother with the administrative process. We will, on an ad hoc case-by-case basis, take care of you without standards, without definitions, without any clear indication as to what constitutes a recognizable tribe and what does not." I think that the Members of this body should think very, very closely and clearly about whether or not they want to become the experts in this country about what is an Indian tribe and what is not an Indian tribe.

Mr. Chairman, I reserve the balance of my time.

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Mr. MILLER of California. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina [Mr. PRICE].

Mr. PRICE. Mr. Chairman, I rise today in support of the Lumbee Recognition Act. This legislation marks the culmination, as other speakers have said, of more than 100 years of effort by the Lumbee Indians to receive Federal recognition. I commend the gentleman from North Carolina [Mr. ROSE], the gentleman from California [Mr. MILLER], and others who have worked so effectively to bring this bill before us today.

In the first part of this century, Congress directed the Department of the Interior to investigate the history and status of the Lumbee Indian Tribe. Although these studies concluded that the tribe existed as a separate and independent Indian community, the Department continually opposed congressional attempts to recognize the Lumbees because of the tribe's relatively large size and the possible cost of Federal recognition.

Finally, in 1956, Congress passed the Lumbee Act, which confirmed the tribe's status but failed to provide Federal recognition. In keeping with the politics of the so-called termination era, when the Federal Government severed relationships with native American Indian tribes which had been formally recognized, the Lumbee Act of 1956 specifically prohibited a government-to-government relationship with the Lumbee Indians.

When the Bureau of Indian Affairs [BIA] recognition process was established in 1978, the tribe renewed their efforts to achieve Federal recognition; their petition is now pending before the BIA. However, the Department of the Interior has ruled that the language of the 1956 Lumbee Act disqualifies the Lumbee from consideration under the BIA process. The only recourse available to the Lumbee Indians is congressional action.

Members from the other side of the aisle have put forth a substitute meas-

ure which would amend the 1956 Lumbee Act to allow a Federal relationship with the Lumbee Indians. This measure also would provide expedited consideration for the Lumbee recognition petition.

While I appreciate the intent of the substitute measure, it is not an effective way to deal with the Lumbee case. Since the BIA recognition process was established in 1978, the BIA has recognized only 8 tribes; the largest has a membership of 2,500. It is simply unrealistic to believe that a staff of 10 can meet the substitute's 18-month deadline for consideration of the Lumbee petition. The substitute measure is also unfair to the other tribes which have submitted petitions to the BIA. Over 100 petitions are now pending, and these would effectively be put on hold for 18 months while the full BIA staff was devoted to the Lumbee petition.

Mr. Chairman, the Lumbee Indians clearly meet the BIA criteria for Federal recognition. They have been working for such recognition since 1888, and it is simply unfair to ask these proud people to wait any longer. I urge my colleagues to support the Lumbee Recognition Act and vote to defeat the substitute measure.

Mr. MILLER of California. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina [Mr. HEFNER].

Mr. HEFNER. Mr. Chairman, I rise in strong support of the Lumbee bill and in opposition to the amendment.

Mr. Chairman, I am very pleased that this bill has finally reached the House floor for consideration. I have long supported and cosponsored legislation which extends Federal recognition to the Lumbee Indian Tribe of North Carolina.

Mr. Chairman, the Lumbee Indians present a very special case that I think would best be addressed through the legislative process rather than through the Bureau of Indian Affairs' recognition procedure.

The Lumbee Tribe of Cheraw Indians of southeastern North Carolina first sought recognition over 100 years ago. The State of North Carolina officially recognized the tribe in 1885, but the Federal Government has yet to do so, despite making repeated reference to their Indian heritage in the Lumbee Act of 1956.

That reference is important, because no other tribe currently seeking recognition can make that claim. An additional precedent in the Lumbee's favor is the case of the Tiwa Tribe of Texas which had a virtually identical legislative history and received recognition through legislation during the previous administration.

The Lumbees have long sought recognition through the petition process with the Bureau of Indian Affairs without success because of delays and procedural roadblocks. In view of the long history of this case, and in fairness to those directly involved, I believe that Congress should act to end the delay and grant the Lumbee Tribe the recognition they deserve.

Mr. Chairman, a legislative remedy is needed in this case, and I urge my colleagues to support this legislation.

Mr. MILLER of California. Mr. Chairman, I yield 3 minutes to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I, too join in support of H.R. 1426, the Lumbee Recognition Act. As a member of the Committee on Interior and Insular Affairs, I have heard many arguments on both sides of this bill.

Some of the opposition comes from recognized tribes in the West and it is to those concerns that I address my comments.

Some tribes and tribal members are concerned that the Lumbees would be receiving preferential treatment if they were recognized in this way legislatively. Instead, the tribes would prefer that the Lumbee continue to use the avenue of the Bureau of Indian Affairs to achieve recognition. It is clear that the Bureau of Indian Affairs makes mistakes from time to time and that often Congress is asked to intercede on one or another tribe's behalf. I personally have worked on several issues of that type for the Indians of Montana. The Lumbees were recognized by the State of North Carolina in 1885. The Lumbees began seeking Federal recognition in 1888. To ask that they continue to attempt recognition from the BIA is simply unacceptable at this point more than 100 years later.

Other tribes may be concerned about sharing the scarce resources available from the BIA for all Indian tribes. H.R. 1426 therefore delays services for the Lumbees until separate funds specifically for that purpose are appropriated, thus making the threat of a decrease in funds available to other tribes a moot point. Even if the bill did not specifically address the issue of funding, I do not believe that it is a legitimate reason for not recognizing the Lumbee Tribe. Granting the Lumbee Tribe Federal recognition is in my judgment the right thing to do, period.

Mr. RHODES. Mr. Chairman, I yield back the balance of my time.

Mr. MILLER of California. Mr. Chairman, I just yield myself 1 minute to conclude the debate at this point before we get to the amendment, and just say that I think our colleague, the delegate from the American Samoa [Mr. FALEOMAVAEGA] made a very important point with respect to this process, and that is that there is one thing that has not changed, that is the Lumbee Indians were a tribe throughout our history. What changed throughout our history was the policy and our intentions and our actions with respect to Indians. We have declared war on them and we have declared peace. We have tried to assimilate them and we have tried to terminate them, and somehow

what we are now saying over 100 years later to this tribe is they had to maintain a paper trail, consistent records of each and every one of their members. That is simply not fair and it is wrong.

However the Lumbees were during that period of time, from time to time they tried to get the Government interested in their plea. The Smithsonian sent anthropologists to prod and to poke, to record their language, and to ask them questions. Other anthropologists went, and interestingly enough, they all came back and they reported to the Department of the Interior that this, in fact, was a tribe.

Then we came along in 1978, and we set up yet another process. We said that if they could not jump these hurdles, they could not be a tribe.

There is another interesting fact that I tried to point out in my opening statement, and that is from time to time when the Indians have had this Government between a rock and a hard spot, we had no problems recognizing them as a tribe with far less showing than we are now asking the Lumbees, and we have done it since this process has been set up, because we thought it was to the advantage of the Government. We thought it was to the advantage of the States. We thought it was to the advantage of the landowners and the homeowners and the businesses in various areas; so when it was to our advantage, we had no problem sweeping this aside so we could save hundreds of millions or billions of dollars in Indian settlements, but now it is to the advantage and the dignity of the Lumbee Indians and now we are insisting on a bureaucratic maze that they simply cannot run; not suggesting this is the proper maze, not suggesting this is not flawed, not suggesting this has not been arbitrary up to date, but still they must run it.

I think the gentleman from the American Samoa [Mr. FALEOMAVAEGA] who has sat through more of these hearings than any other Member of this Congress understands completely how often we have changed direction on the American Indian tribes.

Yes, there will be other petitioners before this Congress.

Mr. Chairman, that is our job.

We have introduced legislation with respect to the recognition of the California Indians because of this sorry task of determination, the lies that were held out to those people, the misrepresentations.

So yes, we will be here again and we will have to make those decisions. This is not about us being experts. It is about weighing the evidence that the experts have given us. That is our job on this and so many other subjects.

Mr. FALEOMAVAEGA. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the delegate from the American Samoa.

Mr. FALEOMAVAEGA. Mr. Chairman, I thank the gentleman for yielding to me. I appreciate his kind comments.

The gentleman did state earlier about paper trails. I want to share with my colleagues that perhaps we have learned many things about trails from this part of the region, especially to native Americans.

I think our friend, the gentleman from North Carolina, stated earlier that it was a trail of tears. I think it was called the Trail of Many Tears.

I think I can say with confidence that if we were to identify the Lumbee Indian people in this relationship, I would say they have been through the trail of many years, and I think 103 years is long enough.

Mr. GEJDESEN. Mr. Chairman, I rise today to express my support for H.R. 1426, the Lumbee Recognition Act, and urge my colleagues to oppose any amendments which will weaken or delay the long overdue recognition for this tribe.

Like many of the groups of people who inhabited what is now the United States before we got here, the Lumbees have a long and proud history of independence. They also have a sad story of mistreatment by the U.S. Government. The fact that we are even here today is a testament to that inequity.

In 1956, the Congress of the United States adopted legislation which recognized this tribe as the Lumbee Indians of North Carolina. However, at the same time language was included in that legislation that essentially terminated their Indian status, barring the Lumbees from being eligible for Federal services or benefits from the Government of the United States. In one fell swoop, the Congress managed to both recognize and terminate the Lumbees.

Essentially, the 1956 act barred the Lumbee people from attempting to be recognized administratively through the Federal acknowledgement process that was established in 1978.

That is why we are here today. We have the opportunity to right a wrong. This legislation simply recognizes this tribe as Indians, something that the State of North Carolina did in 1885, and something that the Lumbees have been seeking from the Federal Government for over 100 years.

Mr. Chairman, there is little doubt that the Lumbees are Indians. In the Interior Committee we have heard hours of testimony on this issue from archaeologist and anthropologists attesting to the authenticity of the Lumbees as Indians. In addition, on three occasions since 1900, the Department of the Interior has conducted studies to investigate the Lumbee tribe's history and condition. First in 1912, then in 1914, and then in 1933, the Interior Department completed studies all of which concluded that the Lumbees were Indians existing as a separate and independent community.

In 1956, the Congress of the United States acted to terminate the Lumbees and prevent them from seeking Indian status through the administrative process. This is a situation that the Congress created, and though none of us

were a part of that injustice, it is our responsibility to right it. Once and for all, it is our responsibility to recognize the Lumbee Tribe of Cheraw Indians of North Carolina.

Mr. Chairman, the Lumbee people have been forced to wait for over 100 years for simple recognition by the Federal Government as a tribe. This legislation is long overdue and I urge my colleagues to support swift passage without amendment.

Mr. MONTGOMERY. Mr. Chairman, I rise to oppose H.R. 1426. I don't think the Congress should be involved in the process of granting Federal recognition to Indian tribes when there already exists an administrative process within the Interior Department.

One of the most respected Indian leaders in the country, Chief Phillip Martin of the Mississippi Band of Choctaws, wrote in opposition to this legislation. He said Congress should not establish itself as the historical expert on this issue because we don't have the necessary expertise to do so. In addition, approval of H.R. 1426 would likely lead to an increase in the number of petitions from other groups seeking to bypass the standards used by the Interior Department. I agree with Chief Martin. It is bad public policy and would be unfair to other Indian tribes across the country who have gone through the prescribed administrative process, or who are currently involved in the process set up by the Interior Department in consultation with Indian tribes and the Congress.

Mr. TOWNS. Mr. Chairman, I rise today in strong support of H.R. 1426, the Lumbee Recognition Act, which provides for Federal recognition of this tribe located in southeastern North Carolina. As a native of North Carolina, I have long been aware of the State's recognition of the Lumbee Tribe. The enrolled membership of the tribe is just under 40,000. The Department of the Interior prepared three detailed reports in 1912, 1914, and 1933 which concluded that the Lumbees constitute a self-governing Indian people in need of Federal assistance and services; yet the Department has opposed recognition of the tribe largely due to the cost of servicing the tribe. Now is the time for justice to be served. The Lumbee Recognition Act requires that any Bureau of Indian Affairs funding for the Lumbee come through a separate appropriation, separate from outlays for other federally recognized tribes. The State of North Carolina has recognized the Lumbees since 1885. Federal recognition will bring the Lumbees long overdue rights equal to those of other American Indian groups. I urge my colleagues to support this legislation.

Mr. TALLON. Mr. Chairman, I rise in support of H.R. 1426. The eastern portions of North and South Carolina have been home to the Lumbee Indians long before there ever were settlers. The Lumbee people have maintained their separateness as a people, and their unique nature has been preserved through the centuries.

The Lumbee have been long overlooked as a unique and separate people. They have been struggling for decades to gain Federal recognition with only discouraging results. The time has come for this tribe to receive official recognition and the time has come for this House to pass H.R. 1426.

I want to commend my colleague from North Carolina, Congressman CHARLIE ROSE, for his perseverance in this matter and his dedication to the Lumbee people. I encourage all my colleagues to support this bill today.

Mr. COBLE. Mr. Chairman, I wish to express my support for H.R. 1426, as introduced by my colleague from North Carolina. H.R. 1426 is needed to provide long-overdue Federal recognition of the Lumbee Band of Cheraw Indians.

Congressman ROSE, the bill's sponsor and champion, is to be commended for his tireless efforts over the years on a Lumbee Indian recognition bill. I am pleased to be able to support H.R. 1426 and to work with him on other issues important to the Lumbees of North Carolina.

H.R. 1426 is necessary to correct an error which Congress made in 1956 when it enacted one of the many bills intended to recognize the Lumbee Tribe. The final version of the 1956 Lumbee Act actually included termination-type language that prohibited Federal Indian services and full Federal status to the tribe. The act has precluded the Lumbees from pursuing Federal recognition through an administrative process set up within Interior's Bureau of Indian Affairs in 1978. The only two other tribes to be treated in this manner in the 1950's have since been extended the full Federal relationship by acts of Congress.

The Lumbees only want equal treatment by Congress. There are a number of ways Indian tribes can be recognized. The Lumbee Tribe received recognition by the State of North Carolina in 1885, and began seeking Federal recognition in 1888.

In response to past Federal legislation, Congress asked the Interior Department to investigate the Lumbee's history and condition. On three separate occasions, in 1912, 1914, and 1933, the Department concluded that the Lumbees were indeed Indians. The 1914 study in particular far exceeds in length and detail those presently done by the Bureau of Indian Affairs on petitions for recognition.

Let's stop stalling Federal recognition for the Lumbee tribe by forcing them into a duplicative administrative process, after forcing them through these additional legislative hurdles. I am convinced the Bureau of Indian Affairs could spend up to a decade delaying this process further. The Lumbees of North Carolina have waited nearly a century already for this important Federal recognition. Let's pass this bill today, unamended, and finally recognize the Lumbees.

Mr. MILLER of California. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Pursuant to the rule, the bill shall be considered under the 5-minute rule by sections and each section shall be considered as having been read.

The Clerk will designate section 1. Mr. MILLER of California. Mr. Chairman, I ask unanimous consent that the bill be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the bill H.R. 1426, is as follows:

H.R. 1426

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Lumbee Recognition Act".

SEC. 2. PREAMBLE.

The preamble to the Act of June 7, 1956 (70 Stat. 254), is amended—

(1) by striking out "and" at the end of each of the first three clauses;

(2) by striking out "Now therefore," at the end of the last clause and inserting in lieu thereof a semicolon; and

(3) by adding at the end thereof the following new clauses:

"Whereas the Lumbee Indians of Robeson and adjoining counties in North Carolina are descendants of coastal North Carolina Indian tribes, principally Cheraw, and have remained a distinct Indian community since the time of contact with white settlers;

"Whereas the Lumbee Indians have been recognized by the State of North Carolina as an Indian tribe since 1885;

"Whereas the Lumbee Indians have sought Federal recognition as an Indian tribe since 1888; and

"Whereas the Lumbee Indians are entitled to Federal recognition of their status as an Indian tribe and the benefits, privileges, and immunities that accompany such status: Now, therefore,"

SEC. 3. FEDERAL RECOGNITION.

The Act of June 7, 1956 (70 Stat. 254), is amended—

(1) by striking out the last sentence of the first section; and

(2) by striking out section 2 and inserting in lieu thereof the following:

"FEDERAL RECOGNITION; ACKNOWLEDGMENT

"SEC. 2. (a) Federal recognition is hereby extended to the Lumbee Tribe of Cheraw Indians of North Carolina. All laws and regulations of the United States of general application to Indians and Indian tribes shall apply to the Lumbee Tribe of Cheraw Indians of North Carolina and its members.

"(b) Notwithstanding the first section of this Act, any group of Indians in Robeson or adjoining counties whose members are not enrolled in the Lumbee Tribe of Cheraw Indians of North Carolina, as determined under section 4(b), may petition under part 83 of title 25 of the Code of Federal Regulations for acknowledgment of tribal existence.

"SERVICES

"SEC. 3. (a) The Lumbee Tribe of Cheraw Indians of North Carolina and its members shall be eligible for all services and benefits provided to Indians because of their status as federally recognized Indians, except that members of the tribe shall not be entitled to such services until the appropriation of funds for these purposes. For the purposes of the delivery of such services, those members of the tribe residing in Robeson and adjoining counties, North Carolina, shall be deemed to be resident on or near an Indian reservation.

"(b) Upon verification of a tribal roll under section 4 by the Secretary of the Interior, the Secretary of the Interior and the Secretary of Health and Human Services shall develop, in consultation with the Lumbee Tribe of Cheraw Indians of North Carolina, a determination of needs and a budget required to provide services to which the members of the tribe are eligible. The Secretary of the

Interior and the Secretary of Health and Human Services shall each submit a written statement of such needs and budget with the first budget request submitted to the Congress after the fiscal year in which the tribal roll is verified.

"(c)(1) The Lumbee Tribe of Cheraw Indians of North Carolina is authorized to plan, conduct, consolidate, and administer programs, services, and functions authorized under the Act of April 16, 1934 (48 Stat. 596; 25 U.S.C. 452, et seq.), and the Act of November 2, 1921 (42 Stat. 208; 25 U.S.C. 13), popularly known as the Snyder Act, pursuant to an annual written funding agreement among the Lumbee Tribe of Cheraw Indians of North Carolina, the Secretary of the Interior, and the Secretary of Health and Human Services, which shall specify—

"(A) the services to be provided, the functions to be performed, and the procedures to be used to reallocate funds or modify budget allocations, within any fiscal year; and

"(B) the responsibility of the Secretary of the Interior for, and the procedure to be used in, auditing the expenditures of the tribe.

"(2) The authority provided under this subsection shall be in lieu of the authority provided under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450, et seq.).

"(3) Nothing in this subsection shall be construed as affecting, modifying, diminishing, or otherwise impairing the sovereign immunity from lawsuit enjoyed by the Lumbee Tribe of Cheraw Indians of North Carolina or authorizing or requiring the termination of any trust responsibility of the United States with respect to the tribe.

"CONSTITUTION AND MEMBERSHIP

"SEC. 4. (a) The Lumbee Tribe of Cheraw Indians of North Carolina shall organize for its common welfare and adopt a constitution and bylaws. Any constitution, bylaws, or amendments to the constitution or bylaws that are adopted by the tribe must be consistent with the terms of this Act and shall take effect only after such documents are filed with the Secretary of the Interior. The Secretary shall assist the tribe in the drafting of a constitution and bylaws, the conduct of an election with respect to such constitution, and the reorganization of the government of the tribe under any such constitution and bylaws.

"(b)(1) Until the Lumbee Tribe of Cheraw Indians of North Carolina adopts a constitution and except as provided in paragraph (2), the membership of the tribe shall, subject to review by the Secretary, consist of every individual who is named in the tribal membership roll that is in effect on the date of enactment of this Act.

"(2)(A) Before adopting a constitution, the roll of the tribe shall be open for a 180-day period to allow the enrollment of any individual previously enrolled in another Indian group or tribe in Robeson or adjoining counties, North Carolina, who demonstrates that—

"(i) the individual is eligible for enrollment in the Lumbee Tribe of Cheraw Indians; and

"(ii) the individual has abandoned membership in any other Indian group or tribe.

"(B) The Lumbee Tribe of Cheraw Indians of North Carolina shall advertise in newspapers of general distribution in Robeson and adjoining counties, North Carolina, the opening of the tribal roll for the purposes of subparagraph (A). The advertisement shall specify the enrollment criteria and the deadline for enrollment.

"(3) The review of the tribal roll of the Lumbee Tribe of Cheraw Indians of North

Carolina shall be limited to verification of compliance with the membership criteria of the tribe as stated in the Lumbee Petition for Federal Acknowledgment filed with the Secretary by the tribe on December 17, 1987. The Secretary shall complete his review and verification of the tribal roll within the 12-month period beginning on the date on which the tribal roll is closed under paragraph (2).

"JURISDICTION

"SEC. 5. (a)(1) The State of North Carolina shall exercise jurisdiction over—

"(A) all criminal offenses that are committed on, and

"(B) all civil actions that arise on, lands located within the State of North Carolina that are owned by, or held in trust by the United States for, the Lumbee Tribe of Cheraw Indians of North Carolina, any member of the Lumbee Tribe of Cheraw Indians of North Carolina, or any dependent Indian community of the Lumbee Tribe of Cheraw Indians of North Carolina.

"(2) The Secretary of the Interior is authorized to accept on behalf of the United States, after consulting with the Attorney General of the United States, any transfer by the State of North Carolina to the United States of any portion of the jurisdiction of the State of North Carolina described in paragraph (1) pursuant to an agreement between the Lumbee Tribe of Cheraw Indians and the State of North Carolina. Such transfer of jurisdiction may not take effect until two years after the effective date of such agreement.

"(3) The provisions of this subsection shall not affect the application of section 109 of the Indian Child Welfare Act of 1978 (25 U.S.C. 1919).

"(b) Section 5 of the Act of June 18, 1934 (Chapter 576; 25 U.S.C. 465), and the Act of April 11, 1970 (84 Stat. 120; 25 U.S.C. 488 et seq.), shall apply to the Lumbee Tribe of Cheraw Indians of North Carolina with respect to lands within the exterior boundaries of Robeson and adjoining counties, North Carolina.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 6. (a) There are authorized to be appropriated such funds as may be necessary to carry out this Act.

"(b) In the first fiscal year in which funds are appropriated under this Act, the tribe's proposals for expenditures of such funds shall be submitted to the Select Committee on Indian Affairs of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives 60 calendar days prior to any expenditure of such funds by the tribe."

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, strike out line 10 and insert in lieu thereof "of the first three clauses";

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. RHODES

Mr. RHODES. Mr. Chairman, I offer an amendment in the nature of a substitute.

The clerk read as follows:

Amendment in the nature of a substitute offered by Mr. RHODES: Strike all after the

enacting clause and insert in lieu thereof the following:

SECTION 1. AUTHORITY TO SEEK FEDERAL RECOGNITION.

(a) **CONSIDERATION OF PETITION.**—The Act of June 7, 1956 (70 Stat. 254), shall not constitute a bar to the consideration by the Secretary of the Interior of any petition of a group or organization representing the Lumbee Indians or other Indians residing in Robeson and adjoining counties of North Carolina for acknowledgment as an Indian tribe.

(b) **ACKNOWLEDGED GROUPS.**—The provisions of the Act of June 7, 1956, shall not apply to any group or organization whose petition for acknowledgment as an Indian tribe is approved by the Secretary on or after the date of the enactment of this Act.

SEC. 2. CONSIDERATION OF PETITION REQUESTING ACKNOWLEDGMENT AS AN INDIAN TRIBE.

(a) **PROPOSED FINDING.**—The Assistant Secretary of the Interior for Indian Affairs shall publish a proposed finding with respect to the petition for acknowledgment as an Indian tribe submitted by the Lumbee Regional Development Association on December 17, 1987, and subsequently supplemented, not later than 18 months after the date on which the petitioner has fully responded to the notice of obvious deficiencies regarding that petition.

(b) **NUMBER OF MEMBERS NOT A FACTOR.**—The number of persons listed on the membership roll contained in the petition referred to in subsection (a) shall not be taken into account in considering such petition, except that the Assistant Secretary may review the eligibility of individual members or group listed in such petition in accordance with the provisions of part 83 of title 25, Code of Federal Regulations.

(c) **REVIEW.**—(1) If the Assistant Secretary fails to publish the proposed finding referred to in subsection (a) within the 18-month period referred to in such subsection, the petitioner may treat such failure as final agency action refusing to acknowledge that the petitioner is an Indian tribe and seek in Federal district court a determination of whether the petitioner should be acknowledged as an Indian tribe in accordance with the criteria specified in section 83.7 of title 25, Code of Federal Regulations.

(2) If the Assistant Secretary publishes a final decision refusing to acknowledge the Indians seeking recognition under the petition referred to in subsection (a), the petitioner may, not later than one year after the date on which the final decision is published, seek in Federal district court a review of the decision, notwithstanding the availability of other administrative remedies.

SEC. 3. CRIMINAL AND CIVIL JURISDICTION.

(a) **STATE.**—In the event that an Indian tribe is acknowledged pursuant to the petition filed by the Lumbee Regional Development Association, the State of North Carolina shall exercise jurisdiction over all criminal offenses that are committed on, and all civil causes of action that arise on, lands located within the State that are owned by, or held in trust by the United States for, such tribe or any member of such tribe, or on lands within any dependent community of such tribe, to the same extent that the State has jurisdiction over any such offense committed elsewhere in the State or over other civil causes of action.

(b) **TRANSFER TO THE UNITED STATES.**—The Secretary of the Interior may accept on behalf of the United States, after consultation with the Attorney General of the United

States, any transfer by the State of North Carolina to the United States of any portion of the jurisdiction of the State described in subsection (a).

SEC. 4. NO DELAY FOR PETITIONS AWAITING ACTIVE CONSIDERATION.

It is the sense of the Congress that the review of the petition submitted by the Lumbee Regional Development Association under section 2 should not delay the review of the pending fully documented petitions for acknowledgment as an Indian tribe awaiting active consideration as of February 1, 1990.

Mr. RHODES (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES. Mr. Chairman, let me just briefly describe what this amendment does. It states that the act of 1956 shall not be considered a bar to consider of the petition of the Lumbee Indians.

It states that the Department of the Interior shall issue its proposed finding on the petition of the Lumbee Indians not later than 18 months after that petition has been completed.

□ 1210

It states specifically, specifically that the Department of the Interior is not to consider the number of people included on the tribal roll in making a determination as to the validity of the petition. It also states that if the petitioner, in this case the Lumbee Indians, is not in any way satisfied with the findings of the Department of the Interior, they have direct access to the Federal district courts, do not have to go through an administrative appeal procedure.

It states that North Carolina law shall apply. And it further says that there shall be no delay in the consideration of pending applications as a result of this legislation.

Let me just comment briefly about that last provision, because I am quite sure we are going to hear that one of the things that is unfair about the amendment in the nature of a substitute is that it will put the Lumbees in ahead of pending applications, applications that have been waiting for action for some time. At the same time, we are ignoring—those who make that argument ignore the fact that legislatively recognizing the Lumbees is equally, or substantially more, unfair to those who are going through the process, having their petitions pending or those who are contemplating going through the process.

Now, this is simple, there is nothing complicated about this amendment, and there is nothing complicated about what it is that we are trying to accomplish. It is not trying to enshrine what I consider to be a flawed administra-

tive process. And I think that the gentleman from American Samoa, and others, who sat through the hearing, will recall that of those who were critical of the Bureau of Indian Affairs and the process that they are administering, I was one of the most critical. That is not the point. That is the reason, however, that we put in the 18-month limitation so that they must act on this application. That is not the point, enshrining the process is not the point; keeping in place the administrative procedure is the point. Being fair to those who wish to seek recognition as a federally recognized tribe, having them know what the process is, having them know what the standards are, having them know what they must meet, having them know what the burden of proof is, is the point.

Saying to them, "You can't come to Congress where there are no standards, there are no procedures, there are no burdens of proof; it is a matter of whom you can impress and whom you cannot impress," is the point.

In the particular case of the Lumbees, the point is we owe it to them to get this job done and your bill will not do it. You talk about 105 years of delay for the Lumbees. All I can say to you is that your bill promises them more delay. The future of your bill is uncertain, to put it mildly.

This amendment, if adopted, will be signed by the President, and the Lumbees will finally know where the end of the trail is, and they will have access to a Federal court without having to go through any administrative law judge if the decision of the department is contrary to their wishes.

This provides certainty, the amendment in the nature of a substitute, provides a certainty. The bill-in-chief provides nothing but false hopes, nothing but more delay, and nothing but an open invitation to this Congress to be the arbiter of the question of what is a federally recognizable Indian tribe and what is not. And I do not think is the slope that this body wishes to embark on.

Mr. Chairman, I urge adoption of the amendment in the nature of a substitute.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move to strike the last word, and I rise in support of the amendment.

Mr. Chairman, we all want to be fair today to native Americans. I appreciate the comments that have been made by the proponents of the bill that has been put before us. But I think we have to ask, as my colleague from Arizona has, now best to be fair to the native Americans in question here.

Clearly, the amendment he has recommended will give a prompt answer to the question of whether or not the Lumbees should be recognized as a tribe. It will give them adequate, and

prompt, appeal opportunity. And it is fair.

It is fair not just to the Lumbees. We are not the only parties here. Why do the vast majority of the American Indian tribes across this country oppose this legislation, and insist upon a strict adherence to an equitable methodology and a criterion that is set forth that will put a prompt review, but a review nevertheless, in determining who should be recognized by the Federal Government as a tribe? Why did they insist upon that?

They are insisting upon fairness, and that is why they oppose the original legislation. The amendment of the gentleman from Arizona will present fairness to the Lumbees. More important, it will present fairness to the majority of the American tribes. It will present fairness to other Americans, native Americans, American Indians who are located—such as the Hatteras—Tuscarora—who are located in among the Lumbees, who point out very clearly that the original bill will deny them recognition as a tribe. It will subsume them into the rolls of the Lumbee and will deny them their heritage.

How can we be fair with a bill that does that to the Hatteras—Tuscarora?

So I support the amendment because it gives a fair opportunity, an opportunity for us to solve this question promptly and in all fairness.

Mr. VENTO. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, as a member of the Interior Committee, I participated in the hearings on similar legislation in the previous session of Congress. I, regretfully, was unable to attend the hearing and markup recently in the Committee on Interior and Insular Affairs in which this issue was addressed.

Mr. Chairman, I oppose the Rhodes amendment because we would require of the Lumbee that which we have not required for anyone else. That is, they would be required to go through both a congressional action, in terms of establishing their eligibility for acknowledgement, and a separate administrative procedure.

The truth is that the legal opinion that came from the Department of the Interior's Solicitor had indicated the ineligibility of the Lumbee Indians under a 1956 act that recognized them in name but prohibited them from receiving any benefits or services from the Government. The Rhodes amendment would require the Lumbees to go through, as I said, in essence, double jeopardy in terms of their actions to gain acknowledgement.

I think the conclusion of this is fairly predictable in terms of the outcome by the Department of the Interior. Congress has the unquestioned authority to, in fact, recognize tribes, especially in such cases where there has

been a controversial law or a manifest frustration experienced within the administrative process.

That certainly is the case here with regard to the Lumbee. I think when the legislation was before the Congress in earlier sessions, there was some tendency to look to the administrative process for recognition but that has been unproductive. It has avoided the issue. I think it is appropriate that we take action in this instance to, in fact, recognize them and defeat this amendment, which, again, would only serve to frustrate the process and postpone action on the question.

Congress, during the time of the pendency of the Lumbee request for recognition, has recognized no fewer than 12 tribes that, in many instances, were recognized for similar circumstances as in the case of the Lumbee. So, this legislation is not an unusual action. It is a usual action.

I think there is a question of merit here, and the Rhodes amendment is not the way to resolve the Lumbee recognition issue. I would ask Members to vote against the amendment in the nature of a substitute and support the bill as reported by the Committee on Interior and Insular Affairs.

Mr. MILLER of California. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman and Members of the House, let us clearly understand what is being done here. It is that we are asking the Lumbees to now, under the substitute, go back through the process. That is simply unacceptable.

□ 1220

It is unacceptable on the face of the amendment because the amendment seeks to change the process by which the Lumbees would go through, recognizing the inherent flaws in the current process, recognizing the inherent flaws in the process with respect to the Lumbees. Not only does the amendment recognize the inherent flaws in the current process, but the gentleman from Arizona [Mr. RHODES] stated earlier that he has a bill to reform the process. So, the amendment gives the Lumbees the right to go to the head of the line and go through a process that we are all in agreement is flawed and needs reforming.

Mr. Chairman, that is not justice. That is not justice. The Lumbees have been here over 100 years in this process. What they are entitled to is the recognition by this Congress, and by this Government, as an Indian tribe. The only way that is going to be achieved is with the passage of the gentleman from North Carolina's [Mr. ROSE] bill, not with the passage of this substitute. So, what is very important is that we reject this substitute, we pass the bill, and at that time this Congress can speak based upon the evidence, not

that we generated, but that the Lumbees generated, and the experts who have studied the Lumbees throughout the past century have generated, as to verifying the fact that they are what they are, an Indian tribe.

Mr. Chairman, I would hope that we would overwhelmingly reject this amendment and pass the underlying legislation.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Arizona [Mr. RHODES].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. RHODES. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 159, noes 251, not voting 22, as follows:

[Roll No. 281]

AYES—159

Allard	Gunderson	Parker
Archer	Hall (TX)	Paxon
Arney	Hammerschmidt	Penny
Baker	Hancock	Peterson (MN)
Ballenger	Hansen	Petri
Barrett	Hefley	Porter
Barton	Henry	Ramstad
Bateman	Herger	Regula
Bentley	Hobson	Rhodes
Bereuter	Horton	Ridge
Billakis	Houghton	Riggs
Boehlert	Inhofe	Rinaldo
Boehner	Ireland	Ritter
Brewster	James	Roberts
Broomfield	Johnson (CT)	Rogers
Bunning	Johnson (SD)	Rohrabacher
Burton	Johnson (TX)	Ros-Lehtinen
Camp	Kasich	Roth
Campbell (CA)	Klug	Roukema
Chandler	Kolbe	Santorum
Clinger	Kyl	Saxton
Coleman (MO)	Lagomarsino	Schaefer
Combest	Leach	Schiff
Coughlin	Lent	Schulze
Cox (CA)	Lewis (CA)	Sensenbrenner
Crane	Lewis (FL)	Shaw
Cunningham	Lightfoot	Shays
Dannemeyer	Livingston	Shuster
DeLay	Lowery (CA)	Skeen
Doolittle	Machtley	Smith (NJ)
Dorman (CA)	Marlenee	Smith (OR)
Dreier	Martin	Smith (TX)
Duncan	McCandless	Solomon
Edwards (OK)	McCollum	Stearns
Emerson	McCrery	Stump
English	McCurdy	Swift
Fawell	McDade	Synar
Fields	McEwen	Taylor (NC)
Fish	Meyers	Thomas (CA)
Franks (CT)	Michel	Thomas (WY)
Gallely	Miller (OH)	Upton
Gallo	Miller (WA)	Vander Jagt
Gekas	Mollinari	Vucanovich
Geron	Montgomery	Walker
Gilchrist	Moorhead	Walsh
Gillmor	Morella	Weber
Gilman	Morrison	Weldon
Gingrich	Myers	Wolf
Goodling	Nichols	Wylie
Goss	Nussle	Young (AK)
Gradison	Orton	Young (FL)
Grandy	Oxley	Zeliff
Green	Packard	Zimmer

NOES—251

Abercrombie	Andrews (TX)	AuCoin
Ackerman	Annunzio	Bacchus
Alexander	Anthony	Barnard
Anderson	Applegate	Beilenson
Andrews (ME)	Aspin	Bennett
Andrews (NJ)	Atkins	Berman

Bevill	Hefner	Payne (NJ)
Bilbray	Hertel	Payne (VA)
Bliley	Hoagland	Pease
Bonior	Hochbrueckner	Pelosi
Borski	Horn	Perkins
Boucher	Hoyer	Peterson (FL)
Brooks	Hubbard	Pickett
Browder	Huckaby	Pickle
Brown	Hughes	Poshard
Bruce	Hunter	Price
Bryant	Hutto	Quillen
Bustamante	Jacobs	Rahall
Byron	Jefferson	Rangel
Campbell (CO)	Jenkins	Ravenel
Cardin	Johnston	Ray
Carper	Jones (GA)	Reed
Chapman	Jones (NC)	Richardson
Clay	Jontz	Roe
Clement	Kanjorski	Roemer
Coble	Kaptur	Rose
Coleman (TX)	Kennedy	Rowland
Collins (IL)	Kennelly	Russo
Collins (MI)	Kildee	Sabo
Condit	Kleczka	Sanders
Conyers	Kolter	Sangmeister
Cooper	Kopetski	Sarpalius
Costello	Kostmayer	Savage
Cox (IL)	LaFalce	Sawyer
Coyne	Lancaster	Scheuer
Cramer	Lantos	Schroeder
Darden	LaRocco	Schumer
Davis	Laughlin	Serrano
de la Garza	Lehman (CA)	Sharp
DeFazio	Levin (MI)	Sikorski
DeLauro	Lewis (GA)	Sisk
Dellums	Lloyd	Skaggs
Derrick	Long	Skelton
Dickinson	Lowey (NY)	Slattery
Dicks	Lukens	Slattery (NY)
Dingell	Manton	Smith (FL)
Dixon	Markley	Smith (IA)
Donnelly	Martinez	Snowe
Dooley	Matsui	Solarz
Dorgan (ND)	Mavroules	Spence
Downey	Mazzoli	Spratt
Durbin	McCloskey	Staggers
Dwyer	McDermott	Stallings
Dymally	McGrath	Stenholm
Early	McHugh	Stokes
Eckart	McMillan (NC)	Studds
Edwards (CA)	McMillen (MD)	Sweet
Edwards (TX)	McNulty	Tallon
Engel	Mfume	Tauzin
Erdreich	Miller (CA)	Taylor (MS)
Espy	Mineta	Thomas (GA)
Evans	Mink	Thornton
Fascell	Moakley	Torres
Fazio	Mollohan	Torricelli
Feighan	Moody	Townsend
Foglietta	Moran	Trafficant
Ford (MI)	Murphy	Unsold
Ford (TN)	Murtha	Valentine
Frank (MA)	Nagle	Vento
Frost	Natcher	Visclosky
Gaydos	Neal (MA)	Volkmer
Gedensson	Neal (NC)	Washington
Gephardt	Nowak	Waxman
Gibbons	Oakar	Weiss
Glickman	Oberstar	Wheat
Gonzalez	Obey	Whitten
Gordon	Olin	Williams
Guarini	Olver	Wilson
Hall (OH)	Ortiz	Wise
Hamilton	Owens (NY)	Wolpe
Harris	Owens (UT)	Wyden
Hatcher	Pallone	Yates
Hayes (IL)	Panetta	Yatron
Hayes (LA)	Patterson	

NOT VOTING—22

Boxer	Hyde	Slaughter (VA)
Callahan	Lehman (FL)	Stark
Carr	Levine (CA)	Sundquist
Ewing	Lipinski	Tanner
Flake	Mrazek	Traxler
Hastert	Purcell	Waters
Holloway	Rostenkowski	
Hopkins	Roybal	

□ 1244

Mr. FASCELL and Mr. BERMAN changed their vote from "aye" to "no."

Messrs. MCCURDY, PARKER, GEREN of Texas, and HALL of Texas changed their vote from "no" to "aye."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there any further amendments?

If not, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mrs. UNSOELD] having assumed the chair, Mr. KLECZKA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1426) to provide for the recognition of the Lumbee Tribe of Cheraw Indians of North Carolina, and for other purposes, pursuant to House Resolution 225, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

(By unanimous consent, Mr. MICHEL was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. MICHEL. Madam Speaker, I ask to proceed out of order that I might inquire of the distinguished majority leader about the program for the balance of this week and next week.

Mr. GEPHARDT. Madam Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Missouri.

Mr. GEPHARDT. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I would like to give Members a sense not only of what is left today, but what we intend to do for the rest of the week and next week.

First of all, there will be a vote on final passage anticipated on this bill in a few moments. At the end of that vote, there will be no further votes today. There will be no votes on tomorrow.

On Monday there will be six suspension bills, but the recorded votes on those bills will be postponed until Tuesday, October 1. Those bills are:

H.R. 3294, regarding O and P nonimmigrants' visas;

H.R. 3350, extending the U.S. Commission of Civil Rights;

H.R. 3259, drug abuse education and prevention programs relating to youth gangs and runaway youth;

H.R. 3280, Decennial Census Improvement Act of 1991;

H.R. 3322, to designate the "Gwen B. Giles Post Office Building"; and

H.R. 2935, to designate the "Patrick J. Patton United States Post Office Building."

On Tuesday, the House meets at noon. The votes, if there are votes from

Monday, will be held. Then we will vote on the Emergency Unemployment Compensation Act conference report.

On Wednesday and the balance of the week, the House will meet at 10 a.m. to take up the Defense Production Act Amendments of 1991 and conference reports on at least two appropriations bills, Treasury-Post Office, and VA-HUD. There may be conference reports on other appropriations bills as well.

Mr. MICHEL. The gentleman made no mention of a possible conference report on unemployment. When would the prospects for that be?

Mr. GEPHARDT. On Tuesday.

ADJOURNMENT TO MONDAY, SEPTEMBER 30, 1991

Mr. GEPHARDT. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. GEPHARDT. Madam Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

□ 1250

The SPEAKER pro tempore (Mrs. UNSOELD). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WALKER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 263, nays 154, not voting 15, as follows:

[Roll No. 282]

YEAS—263

Abercrombie	Bliley	Collins (IL)
Ackerman	Bonior	Collins (MI)
Alexander	Borski	Condit
Anderson	Boucher	Conyers
Andrews (ME)	Brooks	Cooper
Andrews (NJ)	Browder	Costello
Andrews (TX)	Brown	Cox (IL)
Annunzio	Bruce	Coyne
Anthony	Bryant	Cramer
Applegate	Burton	Darden
Aspin	Bustamante	Davis
Atkins	Byron	de la Garza
AuCoin	Campbell (CO)	DeFazio
Bacchus	Cardin	DeLauro
Barnard	Carper	Dellums
Beilenson	Carr	Derrick
Bennett	Chapman	Dicks
Bereuter	Clay	Dingell
Berman	Clement	Dixon
Bevill	Coble	Donnelly
Bilbray	Coleman (TX)	Dooley

Downey
Durlin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
Erdreich
Espy
Evans
Fasell
Fazio
Feighan
Fish
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gaydos
Gejdenson
Gekas
Gephardt
Gibbons
Gilman
Glickman
Gordon
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Harris
Hatcher
Hayes (IL)
Hayes (LA)
Hefner
Hertel
Hoagland
Hochbrueckner
Horn
Hoyer
Hubbard
Huckaby
Hutto
Jacobs
Jefferson
Jenkins
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco

Laughlin
Leach
Lehman (CA)
Levin (MI)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey (NY)
Luken
Manton
Markey
Martinez
Matsul
Mavroules
Mazzoli
McCloskey
McDade
McDermott
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Moody
Moran
Mrázek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oaker
Oberstar
Obey
Olin
Oliver
Ortiz
Owens (NY)
Owens (UT)
Pallone
Panetta
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Perkins
Peterson (FL)
Pickett
Pickle
Poshard
Price
Quillen
Rahall
Rangel
Ravenel
Ray

Reed
Regula
Richardson
Ridge
Roe
Roemer
Rose
Rowland
Russo
Sabo
Sanders
Sangmeister
Sarpalio
Savage
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sharp
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Snowe
Spence
Spratt
Stagers
Stallings
Stokes
Studds
Sundquist
Swett
Tallon
Tauzin
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Olin
Traficant
Traxler
Unsoeld
Upton
Valentine
Vento
Visclosky
Volkmer
Washington
Waters
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Yates
Yatron
Young (AK)

NAYS—154

Allard
Archer
Armey
Baker
Ballenger
Barrett
Barton
Bateman
Bentley
Bilirakis
Boehlert
Boehner
Brewster
Broomfield
Bunning
Camp
Campbell (CA)
Chandler
Clinger
Coleman (MO)
Combest
Coughlin
Cox (CA)
Crane
Cunningham
Dannemeyer

DeLay
Dickinson
Doolittle
Dorgan (ND)
Dorman (CA)
Dreier
Duncan
Edwards (OK)
Emerson
English
Ewing
Fawell
Fields
Frank (CT)
Gallegly
Gallo
Geren
Gillchrest
Gillmor
Gingrich
Gonzalez
Goodling
Goss
Gradison
Grandy
Green

Guarini
Hammerschmidt
Hancock
Hansen
Hastert
Hefley
Henry
Herger
Hobson
Horton
Houghton
Hughes
Hunter
Inhofe
Ireland
James
Johnson (CT)
Johnson (SD)
Johnson (TX)
Kasich
Kolbe
Kyl
Lagomarsino
Lent
Lewis (CA)
Lewis (FL)

Lightfoot
Livingston
Lowery (CA)
Machtley
Marienae
Martin
McCandless
McCollum
McCrery
McCurdy
McEwen
Meyers
Michel
Miller (OH)
Miller (WA)
Molinar
Montgomery
Moorhead
Morella
Morrison
Nichols
Nussle
Orton
Oxley
Packard
Parker

Paxon
Penny
Peterson (MN)
Petri
Porter
Ramstad
Rhodes
Riggs
Rinaldo
Ritter
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Santorium
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Shaw
Shays
Shuster
Skeen

Smith (NJ)
Smith (OR)
Smith (TX)
Solomon
Stearns
Stenholm
Stump
Swift
Synar
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Vander Jagt
Vucanovich
Walker
Walsh
Weber
Weldon
Wolf
Wylie
Young (FL)
Zeliff
Zimmer

NOT VOTING—15

Boxer
Callahan
Flake
Holloway
Hopkins

Hyde
Lehman (FL)
Levine (CA)
Pursell
Rostenkowski

Roybal
Slaughter (VA)
Solars
Stark
Tanner

□ 1308

Mr. BROOMFIELD changed his vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MILLER of California. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1426, the bill just passed.

The SPEAKER pro tempore (Mrs. UNSOELD). Is there objection to the request of the gentleman from California?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate insists upon its amendments to the bill (H.R. 972) "An act to make permanent the legislative reinstatement, following the decision of Duro against Reina (58 U.S.L.W. 4643, May 29, 1990), of the power of Indian tribes to exercise criminal jurisdiction over Indians" disagreed to by the House, and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. INOUE, Mr. DECONCINI, Mr. BURDICK, Mr. DASCHLE, Mr. CONRAD, Mr. REID, Mr. SIMON, Mr. AKAKA, Mr. WELLSTONE, Mr. MCCAIN, Mr. MURKOWSKI, Mr. COCHRAN, Mr. GORTON, Mr. DOMENICI, Mrs. KASSEBAUM, and Mr. NICKLES on the part of the Senate.

□ 1310

PERMISSION TO HAVE UNTIL MIDNIGHT FRIDAY, SEPTEMBER 27, 1991, TO FILE CONFERENCE REPORT ON H.R. 2622, TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1992

Mr. WHITTEN. Madam Speaker, I ask unanimous consent that the managers may have until midnight tomorrow, Friday, September 27, 1991, to file a conference report on the bill (H.R. 2622) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1992, and for other purposes.

The SPEAKER pro tempore (Mrs. UNSOELD). Is there objection to the request of the gentleman from Mississippi?

There was no objection.

ARMED FORCES IMMIGRATION ADJUSTMENT ACT OF 1991

Mr. BROOKS. Madam Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 296) to amend the Immigration and Nationality Act to provide for special immigrant status for certain aliens who have served honorably (or are enlisted to serve) in the Armed Forces of the United States for at least 12 years, with a Senate amendment to the House amendment thereto, and concur in the Senate amendment to the House amendment.

The Clerk read the title of the Senate bill.

The Clerk read the Senate amendment to the House amendment as follows:

Senate amendment to House amendment: In lieu of the matter proposed to be inserted by the amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Armed Forces Immigration Adjustment Act of 1991".

SEC. 2. SPECIAL IMMIGRANT STATUS FOR ALIENS WHO HAVE SERVED HONORABLY (OR ARE ENLISTED TO SERVE) IN THE ARMED FORCES OF THE UNITED STATES FOR AT LEAST 12 YEARS.

(a) IN GENERAL.—Section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)) is amended—

(1) by striking "or" at the end of subparagraph (I);

(2) by striking the period at the end of subparagraph (J) and inserting "; or"; and

(3) by adding at the end the following new subparagraph:

"(K) an immigrant who has served honorably on active duty in the Armed Forces of the United States after October 15, 1978, and after original lawful enlistment outside the United States (under a treaty or agreement in effect on the date of the enactment of this subparagraph) for a period or periods aggregating—

"(i) 12 years and who, if separated from such service, was never separated except under honorable conditions, or

"(ii) 6 years, in the case of an immigrant who is on active duty at the time of seeking special immigrant status under this subparagraph and who has reenlisted to incur a total active duty service obligation of at least 12 years,

and the spouse or child of any such immigrant if accompanying or following to join the immigrant, but only if the executive department under which the immigrant serves or served recommends the granting of special immigrant status to the immigrant."

(b) **NUMERICAL LIMITATIONS.**—Section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)), as inserted by section 121(a) of the Immigration Act of 1990, is amended by adding at the end the following new paragraph:

"(6) **SPECIAL RULES FOR 'K' SPECIAL IMMIGRANTS.**—

"(A) **NOT COUNTED AGAINST NUMERICAL LIMITATION IN YEAR INVOLVED.**—Subject to subparagraph (B), the number of immigrant visas made available to special immigrants under section 101(a)(27)(K) in a fiscal year shall not be subject to the numerical limitations of this subsection or of section 202(a).

"(B) **COUNTED AGAINST NUMERICAL LIMITATIONS IN FOLLOWING YEAR.**—

"(i) **REDUCTION IN EMPLOYMENT-BASED IMMIGRANT CLASSIFICATIONS.**—The number of visas made available in any fiscal year under paragraphs (1), (2), and (3) shall each be reduced by 1/3 of the number of visas made available in the previous fiscal year to special immigrants described in section 101(a)(27)(K).

"(ii) **REDUCTION IN PER COUNTRY LEVEL.**—The number of visas made available in each fiscal year to natives of a foreign state under section 202(a) shall be reduced by the number of visas made available in the previous fiscal year to special immigrants described in section 101(a)(27)(K) who are natives of the foreign state.

"(iii) **REDUCTION IN EMPLOYMENT-BASED IMMIGRANT CLASSIFICATIONS WITHIN PER COUNTRY CEILING.**—In the case of a foreign state subject to section 202(e) in a fiscal year (and in the previous fiscal year), the number of visas made available and allocated to each of paragraphs (1) through (3) of this subsection in the fiscal year shall be reduced by 1/3 of the number of visas made available in the previous fiscal year to special immigrants described in section 101(a)(27)(K) who are natives of the foreign state.

"(C) **APPLICATION OF SEPARATE NUMERICAL LIMITATION.**—

"(i) **IN GENERAL.**—Subject to clause (ii), the number of immigrant visas made available to special immigrants under section 101(a)(27)(K) in any fiscal year (other than as a spouse or child described in such section) may not exceed—

"(I) in the case of aliens who are nationals of a foreign state for which there is a numerical limitation treaty or agreement (as defined in clause (iii)), 2,000, or

"(II) in the case of aliens who are nationals of any other state, 100.

"(ii) **EXCEPTION FOR ALIENS CURRENTLY MEETING REQUIREMENTS.**—The numerical limitations of clause (i) shall not apply to individuals who meet the requirements of section 101(a)(27)(K) as of the date of the enactment of this subparagraph.

"(iii) **NUMERICAL LIMITATION TREATY OR AGREEMENT.**—In clause (i), the term 'numerical limitation treaty or agreement' means a treaty or agreement in effect on the date of the enactment of this subparagraph which authorizes and limits the number of aliens who are nationals of such state who may be enlisted annually in the Armed Forces of the United States."

(c) **ADJUSTMENT OF STATUS.**—Section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended—

(1) in subsection (c)(2), by striking "or (I)" and inserting ", (I), or (K)", and

(2) by adding at the end the following new subsection:

"(g) In applying this section to a special immigrant described in section 101(a)(27)(K), such an immigrant shall be deemed, for purposes of subsection (a), to have been paroled into the United States."

(d) **EFFECTIVE DATE.**—This section shall take effect 60 days after the date of the enactment of this Act.

SEC. 3. DELAY UNTIL APRIL 1, 1992, IN IMPLEMENTATION OF PROVISIONS OF RELATING TO O AND P NONIMMIGRANTS.

Section 214(g)(1)(C) of the Immigration and Nationality Act shall not apply to the issuance of visas or provision of status before April 1, 1992. Aliens seeking nonimmigrant admission as artists, athletes, entertainers, or fashion models (or for the purpose of accompanying or assisting in an artistic or athletic performance) before April 1, 1992, shall not be admitted under subparagraph (O)(i), (O)(ii), (P)(i), or (P)(iii) of section 101(a)(15) of such Act, but may be admitted under the terms of subparagraph (H)(i)(b) of such section (as in effect on September 30, 1991).

SEC. 4. CONTINUATION OF DERIVATIVE STATUS FOR SPOUSES AND CHILDREN OF THIRD AND SIXTH PREFERENCE IMMIGRANTS; DEEMED CONTINUED EFFECTIVENESS OF CERTAIN EMPLOYMENT-BASED PETITIONS.

Effective as if included in the Immigration Act of 1990, section 161(c) of such Act is amended by adding at the end the following new paragraphs:

"(3) In the case of an alien who is described in section 203(a)(8) of the Immigration and Nationality Act (as in effect before October 1, 1991) as the spouse or child of an alien described in section 203(a)(3) or 203(a)(6) of such Act and who would be entitled to enter the United States under such section 203(a)(8) but for the amendments made by this section, such an alien shall be deemed to be described in section 203(d) of such Act as the spouse or child of an alien described in section 203(b)(2) or 203(b)(3)(A)(i), respectively, of such Act with the same priority date as that of the principal alien.

"(4)(A) Subject to subparagraph (B), any petition filed before October 1, 1991, and approved on any date, to accord status under section 203(a)(3) or 203(a)(6) of the Immigration and Nationality Act (as in effect before such date) shall be deemed, on and after October 1, 1991 (or, if later, the date of such approval), to be a petition approved to accord status under section 203(b)(2) or under the appropriate classification under section 203(b)(3), respectively, of such Act (as in effect on and after such date). Nothing in this subparagraph shall be construed as exempting the beneficiaries of such petitions from the numerical limitations under section 203(b)(2) or 203(b)(3) of such Act.

"(B) Subparagraph (A) shall not apply more than two years after the date the priority date for issuance of a visa on the basis of such a petition has been reached."

SEC. 5. AUTHORIZATION OF APPROPRIATIONS FOR REFUGEE RESETTLEMENT PROGRAMS FOR FISCAL YEAR 1992.

Subsection (a) of section 414 of the Immigration and Nationality Act (8 U.S.C. 1524) is amended to read as follows:

"(a) There are authorized to be appropriated for fiscal year 1992 such sums as may be necessary to carry out this chapter."

Mr. BROOKS (during the reading). Madam Speaker, I ask unanimous consent that the Senate amendment to the House amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. MCCOLLUM. Madam Speaker, reserving the right to object, I would like to ask the distinguished chairman of the Committee on the Judiciary, during this reservation of objection, to explain the bill. I do not expect to object to it, but I would like to know what we are passing, and let the Members know, if he would.

Mr. BROOKS. Madam Speaker, the heart of S. 296 is a provision that would allow aliens who have served honorably in the Armed Forces of the United States to become permanent resident aliens. This provision passed the House on September 16.

The Senate amendment to the House amendment to S. 296 makes several minor technical amendments to that provision. In addition, the Senate amendment includes four non-controversial provisions, all of which have the support of the administration. The first simply authorizes funding for fiscal year 1992 for the Refugee Resettlement Program administered by the Department of Health and Human Services.

A second provision defers for 6 months—from October 1, 1991, to April 1, 1992—the effective date of the changes made last year to certain temporary visa categories concerning artists, athletes, and entertainers. An identical provision was passed by voice vote by the House Judiciary Committee just 2 days ago.

The third and fourth provisions are designed to cure defects in the 1990 Immigration Act. Inadvertently that act denied to the spouses and children of aliens who are coming here because of their work skills, the right to receive a visa.

The other defect cured by the Senate amendment concerns a provision in the 1990 act which establishes a duplicative paperwork filing requirement for certain U.S. employers petitioning for the admission of a needed worker. Under the Senate amendment they will only need to file once.

I urge my colleagues to adopt the Senate amendments to S. 296 and send this bill to the President.

Mr. MCCOLLUM. Madam Speaker, further reserving the right to object, I thank the gentleman for his explanation.

Madam Speaker, further reserving the right to object, I yield to the gentleman from Kentucky [Mr. MAZZOLI], the chairman of the subcommittee, who wants to comment.

Mr. MAZZOLI. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise not to object at all but to congratulate the chairman of the full committee, the gentleman from Texas [Mr. BROOKS], who has been my friend, and mate for many years, and the gentleman from Florida [Mr.

McCOLLUM], on having brought this bill to the floor at this time.

Mr. McCOLLUM. Madam Speaker, further reserving the right to object, I do so only to this extent, that I think that what has been explained is a very important piece of legislation, because there are things that, if we do not pass it today, will come to pass that none of us really want to see on the beginning of the new fiscal year on October 1, and as the chairman has explained, it is very important for that reason.

In addition, there is the fact that the underlying bill passed this body overwhelmingly in the past.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from Texas?

There was no objection.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION WAIVING ALL POINTS OF ORDER AGAINST CONFERENCE REPORT ON S. 1722, EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 1991, AND AGAINST CONSIDERATION OF CONFERENCE REPORT

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-221) on the resolution (H. Res. 230) waiving all points of order against the conference report on the bill (S. 1722) to provide emergency unemployment compensation, and for other purposes, and against the consideration of such conference report, which was referred to the House Calendar and ordered to be printed.

PERMISSION TO HAVE UNTIL MIDNIGHT, FRIDAY, SEPTEMBER 27, 1991, TO FILE CONFERENCE REPORT ON H.R. 2508, INTERNATIONAL COOPERATION ACT OF 1991

Mr. FASCELL. Madam Speaker, I ask unanimous consent that the managers may have until midnight tomorrow, September 27, 1991, to file the conference report on the bill (H.R. 2508) to amend the Foreign Assistance Act of 1961 to rewrite the authorities of that act in order to establish more effective assistance programs and eliminate obsolete and inconsistent provisions, to amend the Arms Export Control Act and to redesignate that act as the Defense Trade and Export Control Act, to authorize appropriations for foreign assistance programs for fiscal years 1992 and 1993, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

COMMENDING U.S. ARMS CONTROL AND DISARMAMENT AGENCY ON ITS 30TH ANNIVERSARY

Mr. FASCELL. Madam Speaker, I ask unanimous consent that the Committee on Foreign Affairs be discharged from further consideration of the resolution (H. Res. 229) commending the U.S. Arms Control and Disarmament Agency, its current and former employees, on the 30th anniversary of the establishment of that agency, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 229

Whereas on September 26, 1991, the United States Arms Control and Disarmament Agency concludes 30 years of leadership in arms control and disarmament policy with a series of notable successes;

Whereas these successes include the complete elimination of intermediate-range nuclear forces, and agreements that verify limits on nuclear testing, limiting conventional forces in Europe, reduce strategic nuclear forces, and provide for the complete destruction of United States and Soviet chemical weapons;

Whereas the insistence of the United States Arms Control and Disarmament Agency on full verification of and compliance with all arms control treaties has helped to give confidence and meaning to these treaties, and led to the decision of the Soviet Union to dismantle the illegal anti-ballistic missile radar at Krasnoyarsk;

Whereas the United States Arms Control and Disarmament Agency has been a leader in developing United States policies to halt the proliferation of weapons of mass destruction, ballistic missiles, and other possibly destabilizing technologies; and

Whereas the United States Arms Control and Disarmament Agency faces historic arms control opportunities in the next decade to conclude negotiations for a worldwide ban on chemical and biological weapons, to establish a worldwide conventional arms restraint regime, to secure additional reductions in all nuclear weapons, and, in this context, to continue to work toward a comprehensive nuclear test ban: Now, therefore, be it

Resolved, That, on the occasion of the 30th anniversary of the establishment of the United States Arms Control and Disarmament Agency, the House of Representatives—

(1) commends that agency, and all who have served that agency, for the contribution that they have made to make the world a safer and more secure place to live; and

(2) reaffirms the commitment of the United States, through the United States Arms Control and Disarmament Agency, to continue efforts to achieve effectively verifiable arms control agreements and to halt the proliferation of weapons of mass destruction and dangerous technologies.

The SPEAKER pro tempore. The gentleman from Florida [Mr. FASCELL] is recognized for 1 hour.

Mr. FASCELL. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, as an original sponsor of the legislation that established the U.S. Arms Control and Disarmament Agency [ACDA] 30 years ago on September 26, 1961, it is with great pleasure that I rise in support of House Resolution 229. H.R. 229 commemorates ACDA upon its 30 anniversary.

As you know, ACDA has the primary responsibility for leading in the development and implementation of U.S. arms control policies. The Agency represents the foundation upon which the United States commits itself to achieve effectively verifiable arms control agreements. ACDA also plays a leading role in U.S. efforts to halt the proliferation of unconventional weapons of mass destruction, and other weapons and related technologies.

Over the last 30 years ACDA has played a vital role in United States negotiations with the Soviets that have been both cooperative and confrontation. Constant efforts have resulted in a historic series of successful treaties and agreements. These include:

The 1963 Partial Test Ban Treaty [PTBT];

The 1968 Nuclear Non-Proliferation Treaty [NPT];

The 1972 Strategic Arms Limitation Treaty [SALT];

The 1972 Anti-Ballistic Missile [ABM] Treaty;

The 1974 Threshold Test Ban Treaty [TTBT];

The 1976 Peaceful Nuclear Explosions Treaty [PNET];

The 1988 Intermediate-Range Nuclear Forces [INF] Treaty;

The 1990 Conventional Forces in Europe Treaty [CFE]; and

The 1991 Strategic Arms Reduction Treaty [START].

Today ACDA concludes 30 years of hard work, leadership, and dedication to arms control and disarmament policy. With this resolution, I wish to commend ACDA and all who have served the Agency and their country for their efforts toward making the world a safer and more secure place to live by eliminating, or where necessary, by controlling all types of weapons, including and especially weapons of mass destruction.

If indeed history is prolog, ACDA's illustrious past indicates that its future remains bright and even more important as we rise to face the arms control opportunities and challenges of the post-cold-war era.

Madam Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. BROOMFIELD].

Mr. BROOMFIELD. Madam Speaker, I strongly support the resolution before us which commends the Arms Control

and Disarmament Agency [ACDA] upon its 30th anniversary.

Like Chairman FASCELL, I can remember taking part in the debate in the Congress to establish ACDA. We could not agree on its name. Then we could not agree on its mandate. But we settled those questions because we all agreed on the necessity of establishing an agency which could fulfill the immense responsibility for developing and implementing U.S. arms control policies.

I remember clearly the enthusiasm with which each of us proceeded as we became the first nation in the world to create a Government agency devoted solely to the issue of disarmament and arms control. We believed then, as now, that the establishment of ACDA constituted proof of America's dedication and commitment to peace.

We had great expectations in 1961. I believe those expectations have been borne out. Over the last 30 years, ACDA has played an instrumental role in concluding a series of successful treaties and agreements, ranging from the 1972 SALT Agreement to the recent INF Treaty.

I believe that ACDA's future is as bright as its past. With the remarkable changes in the world over the last few years, particularly in the Soviet Union, ACDA faces historic opportunities. I am confident that with strong support from the Congress ADCA will rise to meet those challenges.

I commend ACDA, and its dedicated former and current employees, on 30 years of fine work. I urge the adoption of this resolution.

Mr. FASCELL. Madam Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FASCELL. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Resolution 229, the resolution just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

PROPOSED HUD RULE IS DEATH WARRANT FOR PUBLIC HOUSING AUTHORITIES

(Mr. CONYERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONYERS. Mr. Speaker, 3 weeks ago the Department of Housing and

Urban Development [HUD] issued a proposed rule that will be a death warrant for public and Indian housing authorities across the Nation.

Under the proposed rule, HUD would continue to pay full public housing operating subsidies only for occupied units and vacant units up to 2 percent. This means that if the public housing authority in your district has a vacancy rate of over 2 percent—and almost all do—it would receive a devastating cut in assistance from HUD.

My home district of Detroit has a vacancy rate of over 40 percent, Mr. Speaker; Detroit's housing director told me this week that this rule would mean a 44-percent annual cut in operating subsidy from HUD to Detroit. He concluded that if this proposed rule is adopted, Detroit's public housing authority "might as well close its doors."

Detroit is not alone, Mr. Speaker, Newark, Chicago, Cleveland, Houston, New York, and virtually all other cities whose housing authorities have vacancy rates over 2 percent will receive devastating cuts in assistance from HUD under this rule.

Vacant units are an inevitable part of any public housing project, Mr. Speaker. Normal turnover of units, even in the best managed projects, will contribute to vacancy. Units must also be vacant during modernization, reconstruction, or other activities. Starving a housing authority of its much-needed operating assistance through this proposed rule will not solve vacancy problems, but serve only to drastically reduce the quality of life for low-income tenants across the Nation.

This is not a partisan issue, Mr. Speaker. Both Republicans and Democrats will pay the consequences in their districts if we stand by and allow this rule to be implemented. I am submitting for the record an analysis of this rule by the Council of Large Public Housing Authorities that shows the impact of its implementation on cities across the country. I urge my colleagues to demand that Secretary Kemp withdraw this outrageous proposal, and rethink his approach to housing management. Cutting our public housing authorities off at the knees is not the answer.

HUD RULE WILL CUT HOUSING SUBSIDIES

(By Eugene T. Lowe)

HUD is about to publish a new rule that would seriously cut federal public housing operating subsidies, requiring public housing authorities [PHA's] to cut back on essential management and maintenance staff, and seriously reduce the authorities' capability to serve low-income residents. The new rule would be implemented after January 1, 1992.

Under the proposed new rule, HUD would continue to pay full public housing operating subsidies only for occupied units and vacant units up to two percent. For vacancies over two percent, HUD would pay an annual operating subsidy equal to only 20 percent of the basic, non-utility expenses incurred by most occupied units.

Previously, public housing authorities have prepared their annual budgets with the assumption that they would receive rental income from 97 percent of their units (a three percent vacancy rate). Some PHA's have vacancy rates that are substantially higher than three percent.

In order to reduce high vacancy rates over time, PHAs have entered into agreements with HUD called Comprehensive Occupancy Plans [COP's], under which the PHA and HUD agree to a series of mutual steps to increasingly occupy vacant units. The COP's recognize that progress in achieving vacancy-reduction goals is dependent upon the PHA's receiving adequate operating subsidies, and security and modernization money from HUD.

The proposed rule would be devastating to the operations of most PHA's with vacancy rates over five percent. Those PHAs would lose substantial amounts of operating subsidy, while vacant units would still require expenditures.

The Council of Large Public Housing Authorities [CLPHA] says that there are many reasons why Housing Authorities need operating subsidies for vacant public housing units. One reason is when vacancies occur as a result of modernization. "Such units may be vacant for many months in the case of a large-scale modernization project", CLPHA says. "During that period, these units must continue to be heated, and security must be provided to prevent vandalism during modernization", CLPHA adds.

HUD SEEKS AID CUT TO HOUSING AGENCIES

(By Ann Mariano)

The Department of Housing and Urban Development has announced plans to make deep cuts in the operating subsidies it gives an estimated 3,200 public housing agencies across the country.

If the plan goes into effect, the District of Columbia's funds would be cut by \$5 million next year, according to the Council of Large Public Housing Authorities.

An analysis of the proposed regulation's effects showed that 50 other large public housing agencies across the country would lose a total of \$96.4 million, according to Gordon Cavanaugh, attorney for the council. He said the figures show the change would "topple some major housing authorities and greatly harm many others." The organization is still calculating the amounts that other housing authorities would lose.

Ray Price, new director of the District's Department of Public and Assisted Housing, is concerned about the proposed rule and will "provide comments to HUD" outlining the city's objections, according to Lucy Murray, spokeswoman for the department. In addition, Murray said, Mayor Sharon Pratt Dixon will announce plans Monday for "removing the boards" from a number of empty public housing developments.

Montgomery County expects to lose \$25,646 if the HUD rule goes into effect. The potential loss "may not sound like much but it all adds up" said Barbara Goldman, vice chairwoman of the Housing Opportunities Commission, Montgomery's public housing agency. The county is already making cuts in many programs, including public housing, and HUD's proposal is "another blow" that will fall most heavily on public housing residents.

Fairfax County hoped to receive \$270,000 in 1992 and \$334,000 the following year, but "we now think this will be cut," said Mary Stevens, a housing agency spokeswoman.

Baltimore would lose \$6.2 million, or 14.3 percent of its current subsidy.

Nearly all public housing agencies in the country face cuts under HUD's proposal and some—including Cleveland; Jacksonville, Fla.; St. Louis; Providence, R.I.; Houston and Detroit—would lose between a third and one-half of their operating funds, Cavanaugh said. Newark's funds would be cut by more than 56 percent.

HUD allots subsidies based on the number of housing units in a local agency and wants, with only a few exceptions, to cut 80 percent of the funds for each unit that is vacant. But public housing operators argue that empty units in apartment buildings cost at least as much to operate as occupied units because maintenance needs continue and the units have to be guarded to prevent vandalism and drug abuse.

Joseph G. Schiff, HUD's assistant secretary for public and Indian housing, said local authorities should be paid for the families they house, not for the total units the agencies own. In the mid-1980s there were 75,000 vacancies in public housing projects nationwide and today there are more than 100,000, he said, adding "somehow we need additional motivation" to fill the vacant units.

The cuts are being made in operating assistance, not in the modernization fund, which totals \$2.5 billion this year and is used to modernize deteriorated housing units, Schiff said. HUD, after reviewing comments about the funding cuts, plans to publish the final rule by Dec. 1 so that it can take effect Jan. 1, he said.

HUD's proposal "ignores the reasons for some of the vacancies," said Richard Y. Nelson Jr., executive director of the National Association of Housing and Redevelopment Officials. "In many cases we have new executive directors who inherited the problem of high vacancies, which are often attributable to a lot of causes, some demographic, some lack of HUD money. There's a whole host of reasons for vacancies, and you just can't overcome them by saying we'll take away money."

"I think this is one of the most wrong-headed notions HUD has come up with in a long time. It will have the opposite effect of what they claim they desire," said Mary Ann Russ, executive director of the Council of Large Public Housing Authorities. "The vast majority of vacant units are vacant because they need capital improvements."

Of the 100,000 vacant units HUD cited, 70,000 are empty because they have not received enough money from HUD to rehabilitate them, and many of the others are in the process of being repaired, she said.

In a letter to Rep. Henry B. Gonzalez (D-Tex.), chairman of the House Banking Committee's housing and community development subcommittee, the council asked Gonzalez for help in persuading HUD to withdraw the proposal. The letter noted that under the department's new formula, the San Antonio housing agency, located in Gonzalez's home district, would lose more than \$500,000.

Gonzalez said this week that HUD "is slipping through the back door in another attempt to cut operating funds for public and Indian housing" and questioning the agency's motives. HUD has ignored provisions of last year's Affordable Housing Act that are intended to help reduce public housing vacancies, he said.

The council cited what it called "the ultimate Catch 22" of the Detroit housing agency's status. Detroit will lose nearly half of its operating funds because of its many vacant units but HUD has not given the hous-

ing agency any funds for rehabilitating the apartments. Detroit has received \$375,000 for emergency repairs.

DRUG TESTING FOR MEMBERS: AN IDEA WHOSE TIME HAS COME

(Mr. BARTON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, there has been some commentary evidently this morning about the lack of domestic agenda by the President of the United States. The President has a domestic agenda. Part of that agenda is the comprehensive crime package that has been bottled up in the Committee on the Judiciary for over a year, and there finally was a hearing on it this Monday.

When that crime package is considered on the House floor, I plan to offer as an amendment my resolution, H.R. 17, that would require all Members of the House of Representatives to be randomly tested for illegal drugs. I am sure that this will not win any popularity contests, but I think it is only time that we subject ourselves to the same set of standards that many Americans have to subject themselves to in the workplace.

The recent revelation by the GAO of this body's check-cashing abuse policy is one more example of how poor an example the U.S. House of Representatives sets for the American public.

Properly, Mr. Speaker, you took no time in changing that policy, and I want to congratulate you for that. I am sure, though, that if I had introduced a check-cashing resolution last year it would not have been very popular either.

It is now time to regain the confidence of the American people. Let us set the proper example. Let us test ourselves for illegal drugs just as almost every American is subject to in the workplace.

Mr. Speaker, I am submitting for the RECORD a copy of a poll in the Houston Post last week, that 96 percent of the people who called in on this poll to the Houston Post supported H.R. 17.

96 PERCENT OF CALLERS FAVOR DRUG TESTS FOR MEMBERS OF U.S. CONGRESS

(By Leslie Loddeke)

More than 96 percent of the Houston Post InfoPoll callers Sunday said members of U.S. Congress should be tested for drugs.

A total of 536 of the 557 callers agreed with a proposal by U.S. Rep. Joe Barton, R-Ennis, who has introduced a bill to require random drug testing of congressional members. Only 21 people, or nearly 4 percent, voted no.

U.S. House and Senate members should be tested "just like everybody else," said the vast majority. The poll question provoked an unusually large number of people to leave comments on the poll tape expressing strong sentiments favoring the bill put forward by Barton, a Republican from Ennis.

"I think our leaders of our Congress should be answerable to us, so they should be first

and foremost in getting tested," said Karen Estess, a Welcome Wagon representative.

Houston homemaker Betty Pichardo said the revelation that state Rep. Larry Evans, D-Houston, died last month from an adverse reaction to cocaine intoxication, alerted her to the need for congressmen, at both the state and federal level to be tested.

"Anyone in a position of public trust and responsibility should be tested," said Pichardo.

A Delta Air Lines pilot, a construction worker, two railroad employees and a Phillips Petroleum employee said they all felt members of Congress should share their obligation to submit to random drug testing.

"I sure don't want no dopehead running my country," a caller who identified himself only as Mike, stated succinctly.

Those who voted against the proposal were generally silent, except for one unidentified caller who called the war on drugs a "scam," and said drugs should be legalized.

Barton has attributed his bill to a sense of fair play.

"If the lowest-ranking soldier in a Saudi desert must submit to drug testing, shouldn't the member of Congress who sent him there be tested?" Barton asked.

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WHAT THE PRESIDENT DID AND DID NOT SAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. WALKER] is recognized for 5 minutes.

Mr. WALKER. Madam Speaker, earlier in the day today during the 1-minute speeches, we had a round of debate with regard to the issue of what the President said in New Jersey and what the President may not have said in New Jersey, but which has been distorted on the House floor. I will get into that issue here again in a moment, but I will insert the entire text of the President's speech made in New Jersey in the RECORD at this point.

REMARKS BY THE PRESIDENT AT NEW JERSEY GOP FUNDRAISER

The PRESIDENT. Thank you so much, Governor Kean and Deb, for meeting us, welcoming us back to this great state. I do feel like I've been here many times, and frankly, I wish Tom Kean were still Governor of this state. [Applause.]

I also want to single out Mike Castle, the Governor of Delaware, for making the trip up here in support of our candidates in these important elections that are coming up. Mike was a great leader in the battle for our education program that I'm going to mention—a minute ago, one of the governors that was clearly out front in that, doing a great job in one of our neighboring states. And, Mike, thanks for coming all this way. [Applause.]

And I can't tell you what a joy it to have at my side every day in Washington another son of New Jersey, Nick Brady, our Secretary of the Treasury, so well-known. [Applause.]

And may I salute our chairman, Bob Franks; our Republican leader, John Dorsey; the Assembly Republican leader, Chuck Haytaian; along with my old friend, Bo Sullivan. You've got a good team working the problem for the fall, and I'm delighted to be with them. [Applause.]

May I also suggest that you look carefully at the team behind us, the delegation behind us there—New Jersey is well-represented. And I wish all of them well in their guests for the fall—and whatever you're running for, good luck. God bless all of you. [Applause.] Thanks for being here.

Well, I've come here today fresh from—that means “immediately from,” not necessarily “fresh feeling” [laughter] from two days of meetings over at the U.N. in New York City. And it really—as Tom said, it is mind-boggling to contemplate the changes that have swept our world in the last few years—even in the last few months. In my address to the General Assembly I tried to provide some context to those extraordinary developments.

Freedom is an idea whose time has come—in Eastern Europe, across the great land mass of Asia, in Africa, and right here in our own hemisphere, right here in the Americas. And let me tell you, every person in this room can be proud of the fact that one nation has been in the vanguard of this exciting movement toward freedom day in and day out, year after year. And that nation is the United States of America. And we all should be proud of it. [Applause.]

Just last month when a coup threatened to set back the cause of freedom and democracy in the Soviet Union, the United States stood firmly on the side of freedom, against the coup plotters and with the people of the Soviet Union. And after the coup failed, both Boris Yeltsin and Mikhail Gorbachev called me to say how fundamentally important it had been to have the support of the American people. We have that strength for the values that people respect all around the world. [Applause.]

And as Barbara and I travel all around the world, we hear it time and again: America has a disproportionate responsibility to lead. And I can assure you we're going to continue to do that because I believe—and I know this—that it's good for our country, and I think it's good for the cause of world peace.

Tonight I'm here for the same reason many of you are—because we believe in the potential of the New Jersey Republicans. [Applause.] I've been campaigning alongside of many of you in this state for years, and that's why. And as a matter of fact, I think my first political trip as Vice President back in 1981, my first one was a state party fundraiser right up the Parkway at Kean College. Exit 140, isn't it? Anyway, it's in there somewhere. [Laughter.] But I like to campaign here because New Jersey Republicans typify our belief in faith, in family, and in individual initiative. And that's what New Jersey voters want in their leaders. They're not getting that now, and that's what these elections are about that are coming up just in a few weeks from today.

No matter where they live in this diverse state—the beautiful shore counties down there, and communities over in Ocean County; the suburbs of Bergen and Essex [applause] or the sprawling, open country in western Jersey [applause] the counties of Hunterdon or Warren [applause] I knew we'd get this crowd on that one. Chuck brought the team along here. [Laughter.] But New Jerseyans are mainstream voters. And I can tell you the Republicans define the mainstream in this state. And because of that I honestly believe, after talking to the political leaders, reading about the problems of the state—the quest for innovation, I might add, that the people in this state want—I believe that Republicans will take back the Assembly and the Senate in the fall. [Applause.]

And I've heard about the job that's been done by the party leadership and the county leaders recruiting candidates. Proof that the New Jersey GOP is forward-looking and inclusive. And in fact, more women and minorities are running for office as Republicans than as Democrats than ever before. And we'll run on the Republican record and it's a good record, both here in New Jersey and nationally as well. [Applause.]

You've got good top leaders: Bob Franks at the party headquarters and Chuck here in the Assembly and John Dorsey in the Senate. And they know the principles that Republicans stand for. We stand for free markets and free people, the power of the individual, the potential of innovation. And that's at the heart of our domestic agenda. And we believe in measuring success by how many lives we enrich, how many families we strengthen—and thank goodness for the family—and how much faith we have in our future. And those are the building blocks for a better America, and Republicans will not forget that.

Our domestic agenda begins by an abiding trust in the American people. And it tries to carry that faith forward into the future. Take, for example, our housing proposals. Turn housing residents into homeowners—that's what it's about. Strip them of the indignity that comes from the hopelessness of living in projects with no real future. Make homeowners out of them. We believe in tenant management. We believe our public housing citizens can manage their own affairs and contribute to our society. And that's the philosophy.

And I'm a little tired of hearing Democrats say we have no domestic agenda. The problem is their domestic agenda is to crush our domestic agenda. They're doing nothing but griping—[applause]—refusing to consider the new ideas and sending me a bunch of garbage I will not sign. I'll continue to veto the bad stuff until we get good bills. [Applause.]

Our energy package attempts to conserve energy while encouraging innovation. Our transportation package gives more power to local authorities who know their own needs. And I believe that we're making headway now, real headway if you look at the latest polling figures on drug usage—I believe we're making headway and winning the war on drugs. And the National Drug Strategy is working. And thank goodness for the people on the front lines—the community groups, the law enforcement people, the private sector—right there at the local level, the level closest to the people.

And our crime package is the most comprehensive in American history. And we're determined to give our streets and our communities back to the people. But we need more help from down there in Washington to get our crime package through the Congress.

We've had our share of successes on the domestic front. I take great pride in the fact that we passed child care legislation that puts choice in the hands of parents, where it should be. A Clean Air Act, hailed by environmentalists and business alike, that uses the power and innovation of the marketplace to clean our nation's air. An Americans With Disabilities Act, the most far-reaching civil rights bill in decades. And that was all passed with the leadership of the Republican administration in Washington, D.C. [Applause.]

And right now in Congress there's some debate on how to help the unemployed whose benefits have run out. The Democrats want us to pass a bill and simply not pay for it, push it on over to future generations. And

our approach, the dole substitute it's called, helps the unemployed—they get the extended benefit—but pays for the program. And this approach—their approach adds to an already humongous deficit, and ours does not. Ours pays as you go and takes care of those who are in need. And that is the fundamental difference between the Republicans and the Democrats. [Applause.]

I mentioned Mike Castle and education. I might well harken back to the leadership Tom Kean gave in education. Everyone in this state—everyone in the nation—knows of his leadership on education. But our America 2000 Education Strategy is generating a crusade for excellence in education in state after state, and community after community. Your own Tom Kean, as I say, chairs what we call the New American Schools Development Corporation. It's an innovative part of the America 2000 strategy.

Across-the-board we've got a good record on education. And if I might be permitted a word of pride, I happen to think the First Lady is doing a pretty darn good job on volunteerism and literacy as well. [Applause.]

No, we've got a good record I believe. The question is getting it out, doing it in a way that is going to help these candidates. I might add—it's very important—if we believe in these local answers we'd better get good people wrestling the problems in the Assembly. But in order to build a better country, a better America, we've got to have more conviction and courage in Congress and in the statehouses, and certainly, as I say, in the Assembly.

It's time to bring New Jersey back to the common-sense policies of the Republican Party. And I believe New Jerseyans will appreciate the GOP really does stand for growth and opportunity and prosperity, especially after the last few years. From my vantage point—I don't want to be prognosticating and be one of these guys that relies on the latest figures, but I think it looks a little shaky for the Democrats. [Laughter and applause.] I heard that some of the Democrats in Trenton were calling the captain of that Greek cruise liner for advice on how to abandon ship. [Laughter.]

Our administration's economic growth agenda promotes growth and opportunity. And it's for all Americans. And our economic growth package is one that creates a right climate for business to flourish. We want to bring down the tax on capital gains so that investors will invest money in new businesses, new ideas, and new jobs. [Applause.] And even though I think this economy, sluggish as it's been, is recovering, the best thing to do to create new jobs would be to pass that capital gains differential. It isn't a relief bill for the rich, it's a jobs bill. And we ought to get it passed. [Applause.]

We've been pushing incentives to save. Tying into this unemployment compensation debate—we're going to have that on the floor. We need more R&D, we need more savings incentives like these IRAs. And that's part of the Republican approach. We want to bring that deficit down, and so I am determined—we have caps now on spending—and I am determined to enforce those caps and not let the Democrats who want to spend try to go around the budget agreement that was worked out last year. [Applause.]

Another area that I take pride in is that we are for free trade. We're determined that America will remain a world leader in the global economy, and because we want to open up the world to American products. In the last four years alone—some of you may not realize this—exports from the United

States have increased 55 percent, more than twice the rate of import growth. And right now exports have galvanized our economy. Though our economy has been sluggish, it's the exports side that has been very vibrant.

We can build on our strengths to create more growth, more opportunity, and more prosperity if we have sound and sensible trade policies.

One more point: Last year, regulations cost the economy at least \$185 billion, regulations. And we're trying to do something about that. The Vice President's Council on Competitiveness has targeted burdensome regulations, you know the ones. They strangle productivity; they defy logic and don't effectively or efficiently protect the public interests. And it's time we cut through this tangle of red tape and cleared a path for economic growth [Applause.]

I know some of you don't like this nostalgia, particularly given what you're putting up with today. But during the Kean administration, New Jersey was an economic powerhouse. And it can be again. It's time to unleash this power of the imagination. Tom touched on that and worked on that when he was a Governor. And it's time to do that now. It's time to bring common-sense government back to Trenton. [Applause.]

And speaking of common sense, most people know Thomas Paine's famous words: "These are the times that try men's souls." But most people don't know that Thomas Paine—true story—wrote those words while in New Jersey, during the American Revolution. Well, these times, let's face it, try men's souls. And once again, you can make history in New Jersey. It may not have that same context of a revolution or, particularly when you compare it to the changes that are taking place all around the world still—in Eastern Europe and, hopefully, in the Middle East and other areas. But this year you can do something about it. This year this state can go Republican. And I believe that the people of this state deserve leadership and common sense. I think that means they deserve a Republican Assembly and a Republican Senate. [Applause.]

So I came up here tonight to thank our leaders, to wish these candidates all the best, and to tell you this parenthetically—I looked around the room, and we had a little receiving line before I walked in here, and I saw so many faces that were very supportive of me as I ran for President of the United States in 1988. Probably almost everybody in this room. Maybe we've got a few converts, I don't know. [Laughter.] But I would simply say this: If you get the feeling that I like my job, you're right. [Applause.]

There has never been a more exciting time in recent history to be President of the United States. I'm proud to be there, I'm grateful for our support. Now give me the kind of philosophical support in Trenton, and I'll be happier still.

Thank you very, very much. [Applause.]

Mr. WALKER. Madam Speaker, the statements made on the House floor indicated that the President of the United States had said that the Democratic proposals with regard to unemployment were "garbage." Some Members even took that so far on the House floor as to indicate that the President had called the unemployed garbage.

Nothing could be further from the truth. I want to point out exactly what the President said. The President in New Jersey said:

And I'm a little tired of hearing Democrats say we have no domestic agenda. The problem is their domestic agenda is to crush our domestic agenda. They're doing nothing but griping—refusing to consider the new ideas and sending me a bunch of garbage I will not sign. I'll continue to veto the bad stuff until we get good bills.

That is the quote. There is nothing in the paragraph ahead of that that refers to unemployment. There is nothing in the paragraph behind that that refers to unemployment. Unemployment is not even a subject of the discussion in the President's speech at that point.

Later, several paragraphs down, the President does get to the issue of unemployment. I think it is well to understand what the President said at that point. The President said:

And right now in Congress there's some debate on how to help the unemployed whose benefits have run out. The Democrats want us to pass a bill and simply not pay for it, push it on over to future generations. And our approach, the Dole substitute it's called, helps the unemployed—they get the extended benefit—but pays for the program. And this approach—their approach adds to an already humongous deficit, and ours does not. Ours pays as you go and takes care of those who are in need. And that is the fundamental difference between the Republicans and the Democrats.

At no point in those words did the President say anything other than the fact that he wants to sign a signable unemployment approach.

Now, I think that if we are going to have responsible debates, debates which merit the attention of the American people, that it is important on the House floor to deal in facts. The facts here are very clear. The President at no point referred to the unemployment bill as "garbage." In fact, what he said was:

There is an unemployment bill I will sign, and it is disappointing that the Democrats will not send me that kind of legislation.

He did suggest earlier in his speech that there are bills arriving on his desk that because they contain old ideas, status quo ideas, that they are not the approaches that he will sign to move forward a domestic agenda. He wants his new ideas and approaches taken—his new ideas for crime fighting, his new ideas for education, his new ideas on the environment, the new ideas that he has promoted on housing and on highways. There are a lot of those around, yet they are not moving in this Congress.

In fact, a little earlier when we heard the schedule discussed for next week, there is not much at all happening in this Congress. We seem to be hanging around town so that we can hold press conferences to counterpoint the President or so Members can come to the floor and distort the President's record, and we do not seem to be doing much else.

Now, the question I think before the American people on domestic agendas is, first of all, whose domestic agenda

do you want? Do you want the domestic agenda of the people who have formulated domestic agendas for the last 35 years and have gotten us into the horrendous mess that we are now in, where this year in our budget we will spend more on interest payments on the national debt than we will spend for all the domestic discretionary programs combined. Domestic discretionary programs include things like education, transportation, housing, a whole series of things which are very important to the American people. All those programs combined do not add up in spending to the amount that we will spend on interest on the national debt.

And what is the Democrat solution to the present problem of the unemployed? They want to add more to that debt. They want to add more to that deficit. And where do we go to get the money to pay for that? We go to the Japanese and we go to other foreign borrowers and ask them to come up with the money which future generations will then have to pay.

So we are not only hurting ourselves and our economy now, we are hurting the ability of our children and grandchildren to deal with the problems that they will face in the future. That is not a program that we can support and the President ought not to support it.

The President was right. Such an approach is garbage.

THE USE OF WESTERN LANDS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wyoming [Mr. THOMAS] is recognized for 5 minutes.

Mr. THOMAS of Wyoming. Madam Speaker, I wanted to take this opportunity to talk a little bit about an issue that I think is increasingly having an impact and an effect on Western States, Western States that are public land States.

In many of our States, in my State of Wyoming, for example, public lands represent 50 percent of the total land surface in our State. Some go as high as 87 percent. So you can imagine that the land management decisions and the land management policies that affect those lands drive the economies of our States, particularly since the States are largely involved in natural resource kinds of activities that do involve the lands.

A number of things have come upon us in recent months that I think are very important with regard to the future of Federal land management, and indeed the Western States.

Grazing fees, for example, is one of the most prominent and most current issues that we are confronting. In addition to that, there are such things as Federal royalties. The proposition in the Senate is to add additional costs to the States who were promised in the statute to be given 50 percent of the

royalties collected on Federal lands in those States, and that has been the agreement that indeed continues to be the statutory language, and yet in the appropriations bills efforts are made to change it, continuing efforts for single-use management, when obviously these are the kinds of resources that need to be used multiply, and shared use is really the issue that we ought to be concerned with.

There are environmental issues that continue to be very one sided when what we need, of course, are balanced environmental issues that bring use in an environmentally sound way into timber cuts, which have been very important; endangered species, such things as the spotted owl, and our State particularly the artificial introduction of wolves into Yellowstone Park. Nobody argues with them being in Yellowstone Park. What they argue with is not being able to keep them in Yellowstone Park with regard to the grazing and the sheep and the cattle that are there.

So in effect, all of them have an impact on multiple use and the shared use of these resources, and our economy is based on that in our State and many others.

Let me talk for just a moment about grazing fees, because I think it is an example. We will be confronted in this House with another look at grazing fees. We have been doing it as an annual ritual each year, seeking to raise that. Part of the reason for that to be raised, I am sure, from the sponsors, is to eliminate cattle from public lands, to move toward the single use process. The other is to generate funds, and it generates relatively little.

Let me talk a second about the historical pattern of land ownership. As we all know, most States, and certainly original States, had all their land included when they came into the Union. The Western States did not. We moved through a series of legislation, primarily the Homestead Act, which was designed to put these lands into private ownership. Most of the lands were not put into private ownership, only that portion of the land that had water that were the basic acreages and the grazing land, which was really residual land that nobody claimed.

□ 1330

And that is very important when you look at grazing fees because the base land that is in private ownership is inseparable from the grazing lands if you are going to use these resources fully.

The water is there, the winter feed is there, and I would like to suggest that as we take another look at it again, if we are really interested in multiple use, that the persons who are interested in hunting and fishing and wildlife will understand that these two things go together.

I just came from a ranch near the Greybull River, near Meeteetse, WY.

This ranch is down near the river. They raise winter feed. They winter about 2,000 head of elk. Those elk would have no place to go in the wintertime. All they ask is in exchange having their cows in the forest in the summer.

I think the most obvious problem with raising the fees to where the ranchers cannot use it is the checkerboard. Twenty miles on each side of the railroad in the early West in Wyoming, in order to encourage the railroad to go through, those lands were given to the railroad, every other section. So the whole 40 miles here is checkerboard lands.

These are not highly productive lands. These are lands where it takes 100 acres to run an animal unit throughout the year. You simply cannot separate the Government lands from the private lands. If you tried to fence it, the fencing would cost much more than the land is worth.

Madam Speaker, I simply, as we come forward again to talk about grazing fees, the effort is made to compare grazing fees in the West on public lands with grazing fees that are paid by farmers in Indiana or Ohio to lease grass from their neighbor; there certainly is no comparison.

Let me tell you a few of the things that grazers have to pay for: Lost animals, association fees, moving the livestock, many times herding because the fences are not there, and water production. These grazers provide for that. They have to support the wild horses that graze there as well. Fence maintenance, and so forth, and in fact the comparable cost is about \$14 as compared to \$8 on private lands.

So I hope that as we take a look at this, we will promote multiple use in the West, the best use of our resources.

CONGRESS SHOULD EXERCISE MORE LEADERSHIP ON BEHALF OF CHILDREN AND FAMILIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama [Mr. CRAMER] is recognized for 60 minutes.

GENERAL LEAVE

Mr. CRAMER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CRAMER. Madam Speaker, I rise today to speak about a subject that is very important to me, and that is the subject of children in this country. Madam Speaker, I was a prosecutor in Alabama for 10 years before I came to this Congress. As a new Member, I would like to bring some of my experience there into the Congress and challenge my colleagues to exercise more

leadership than we have been exercising on behalf of children and families in this country.

Madam Speaker, we have recently had an important report of the U.S. Advisory Commission on Child Abuse and Neglect. This report was made public a little more than a week ago in Denver, CO, where the Select Committee on Children, Youth and Families, on which I am privileged to be a member, conducted a field hearing. This report is devastating with regard to leadership at the national level. This report challenges all of us on the Federal level; in Congress, in the Department of Health and Human Services, in the U.S. Justice Department, in the various bureaus in Washington, DC, to get our acts together, to come up with a more focused policy that has to do with children and families in this country.

The same report declares there is a state of emergency with regard to children and families, that we are not providing the kind of services that we need to be able to provide for them.

I would like to break from that a little bit and tell you that out of the 45 Members of Congress, during freshman orientation back in November, there were many of us who had the opportunity to speak to each other for the first time and get to know each other for the first time.

Most of us come from varied backgrounds. But the theme that rang true from us in terms of our commitment in Congress to helping people was the theme of helping children and vulnerable families across the board, from the juvenile delinquency program, to those infant mortality programs, to the child abuse and neglect programs.

I am happy to be joined today by my fellow colleague, the gentleman from Indiana, Congressman TIM ROEMER. I would like to yield to the gentleman in order that he may speak to us about his experience there.

Madam Speaker, I would like to have a colloquy with the gentleman regarding our joining together in a new children's caucus. Madam Speaker, other Members are joining with us. Madam Speaker, I want to applaud the efforts of the gentleman from Indiana [Mr. ROEMER] and am happy to join with him in that effort. Madam Speaker, I yield to the gentleman from Indiana.

Mr. ROEMER. Madam Speaker, first of all, I thank the gentleman in the well for his leadership which he has shown on children's issues from the first day we were here together. The distinguished and articulate gentleman from Alabama [Mr. CRAMER] has been a leader on this issue. From that first moment when we met, to this morning's breakfast where we were together again, where the gentleman from Alabama coordinated a breakfast for advocacy groups on the part of children from all over the United States.

I am very proud to be part of this special order and to join with the gen-

tleman in a colloquy and talk about many of the concerns on the part of our Nation's children, which the gentleman and I agree is the best resource we have and that we had better start listening to those voices out there in Alabama, in my district in Indiana, in Hawaii, California. That is, not just spending money on their problems, but getting people involved at the community level, at the business level, and pulling together in our local communities to address this very, very important concern on all of our parts.

Mr. CRAMER. I think the gentleman would agree that while we talk an awful lot about this problem, particularly talk about it from the Federal level, we do not see the money, we do not see the morale at the local level, that the local level needs in order to deal with the problems that they face. This is a tough time for funding at the Federal level. But we must challenge ourselves to be innovative, to come up with approaches that we know will work, approaches that will make sense at the local level.

The local level is very cynical about what we do at the Federal level because they see us contributing to bureaucracies which talk an awful lot about the problem but they do not actually do much about the problem.

Mr. ROEMER. The gentleman from Alabama I think makes a very important point here in that we have spent, I think, since 1987, decreased spending on our children by about 4 percent. One of the examples that I would like to talk a little bit about too, as we go through our colloquy, is: In a recent conversation that I had with the director of prisons in the State of Indiana, we were talking about the vast amount of money and resources that are now spent in not only Indiana but across the country on prisons, incarceration.

I said, well, you know, as we project under these constrained budgets in the future, what is the biggest single indicator or variable that we should look at for new prison cells in the future?

And he said:

Well, Tim, hold on to your seat on this reply. The single biggest indicator that we use is the number of at-risk children in the second grade. And we can either spend the money on Head Start programs, pre-school programs, on making sure that we are not only addressing the at-risk needs of our children in the population there, but improving our schools and restructuring our schools, before we just throw money at the problem. But that this is a question of, as the commercial says, "Do we spend money now?", and in fair amounts and probably less money, or do we pay it later?"

Do we build new prisons, do we continue to incarcerate people and have these at-risk students in second grade go through the system and, eventually, in many cases, many sad cases, end up building prisons for some of those people?

We have to concentrate our resources, our time, our energy on our children in this country.

Mr. CRAMER. I agree with my colleague. I would point out that, as a prosecutor back in my county in Alabama, I would take our grand jury through the juvenile detention home every other month, as was mandated by law. We would interview young boys, young girls, who were incarcerated there, who were running away from home; young boys and girls who were committing their first crimes in order to escape the predicament in which they found themselves at home. We would talk to those young people, and they would tell us that they were running from domestic violence, that they were running from abuse.

□ 1340

Those are the same young people, much like you say about the prisons, that we are warehousing, the same young people that do not have resources available to them so that we can rescue them. We are labeling those young people as offenders or criminals. We are not labeling them as victims. We are turning around and incarcerating those young people when they become adults. Those same young people are reoffending against society and against other children, and it is just more expensive. We are paying a high price later by not doing something today.

Mr. ROEMER. And I think the gentleman from Alabama [Mr. CRAMER] makes a good point there, and I think, as a member of the Committee on Education and Labor, that I am proud to be on that committee under the leadership of the gentleman from Michigan [Mr. FORD] who is fighting for education dollars, and Head Start programs, and who we hope to work with, as well as the chairman of the Committee on Science, Space, and Technology, the gentleman from California [Mr. BROWN], and I serve together under his leadership and vanguard on math and science education programs to try to restructure the school system to come up with more innovative programs and new technologies in the schools, sharing of those technologies, partnerships between business and the schools, and I look forward to working with those two very, very intelligent and passionate chairmen on children's issues.

That is one of the reasons that we have helped establish and started our working group for children here in the U.S. Congress.

Mr. CRAMER. I look forward to working with the gentleman from Indiana [Mr. ROEMER] in that working group. I think this new report of the U.S. Advisory Committee on Child Abuse and Neglect really puts us on the defensive, and I think we need to be on the defensive. It says that we do not have a focused policy at the Federal

level. We complain about the States and the local levels, but we need to get our act together on a national level, that one wing of our Government is pursuing one course of action, another wing is pursuing another course of action, and there is no interfacing right here where we need to be interfacing.

So, I look forward to working with the gentleman from Indiana [Mr. ROEMER] and taking that on as a challenge. I think we talk so much about economic issues and investment in our infrastructure, but we fail to realize that the best investment we can make is an investment in our young people, that the hope for tomorrow truly is a balanced set of young people that will rise, and want to be leaders, and want to be part of institutions like this, and want to get things done. So, I look forward to that.

Mr. ROEMER. I do, too, and one of the reasons that I started that, as the gentleman from Alabama mentioned, with the help of—usually the core group has been with our freshman class, Republicans and Democrats alike, in a bipartisan manner coming together to put this focus upon children's needs, and what we will be doing, as the gentleman from Alabama knows because he has been part of our initial efforts to get our support and broaden our support here in the Congress from the freshman Members, will be concentrating on three things.

Madam Speaker; First will be to serve as a clearinghouse to help the chairman of committees to be their best cheer leaders, Chairman FORD and Chairman BROWN among them, when they are talking about increased emphasis on children's programs, to help on the floor of the House of Representatives to get support, to whip for those programs, to work in concert with our chairmen, to work with the gentleman from Colorado [Mrs. SCHROEDER] on the Select Committee on Children, Youth, and Families, and to serve as an arm, and ancillary leader, in terms of congressional input.

Second, what we want to do is we want to bring speakers, we want to bring models, we want to bring new ideas from across this country to Washington, DC, and have them talk to the Children's Working Group, have them show us what is working in Alabama, what is working in Hawaii, what is working in Indiana, and throughout the country so that we can take that local idea and provide help, if needed, at the Federal level.

Third, what we want to do with this working group, the Children's Working Group, is to focus on, not a huge agenda for children, but just a few things. Among them: health care concerns, immunization for measles and mumps where we are running out of money in the richest country in the world for mumps and measles inoculations, preventable diseases. Third World coun-

tries have wiped them out, yet we are seeing a growth in those areas—and parental care.

Then the next issue for our concern would be on education, that we try to get in incremental levels full funding for such programs as Head Start, where again Democrats and Republicans agree about the success of that program.

I just want to say again that I am very excited about the opportunities that we have shown here with this special order and with the Children's Working Group that we have just formulated from the impetus of the freshmen class, which has expanded to approximately 40 other Members. We have about 80 people on that list now, and we need help out there from the rest of the country, from citizens, and constituents and business leaders, to help us with ideas.

Mr. CRAMER. Mr. Speaker, I applaud the work of the gentleman from Indiana [Mr. ROEMER], and I will pledge to him that I will motivate everybody that I can motivate, both here in this institution of Congress, as well as those in Federal bureaus on the Hill, because I think they are anxious to see a group that focuses fairly clearly in a sensible way on what is working in this country. So, I think the programs that the gentleman intends to bring to the work group that I want to be a part of is the kind of approach that we must take, and I thank the gentleman from Indiana [Mr. ROEMER] for it.

Mr. ROEMER. Mr. Speaker, I thank the distinguished gentleman from Alabama [Mr. CRAMER] and again salute him for putting together this special order which I am very proud to be a part of.

Madam Speaker, I would like to commend my colleague and friend, Mr. CRAMER of Alabama, for bringing us together today to talk about the solution to every problem facing our Nation today: our children. My colleague, one of the best and brightest Members of the freshman class, is aware that by investing in our young people, we are investing in America, and securing our future as a world leader.

Children's needs, as home, school, and sometime in the workplace, seem to always wind up on the back burner of our country's agenda. Programs of enormous value that save our taxpayers millions, if not billions of dollars, are underfunded and ignored. Initiatives like prenatal care, universal immunization, and Head Start are proven, long-term benefits to the children that receive them, and to society at large.

Many other ideas that do not require Federal dollars, but would enhance the lives of American youth, have no forum. Localities around the Nation seek guidance on how to reform and energize their programs for young people.

Education, especially, needs our full attention now, and a permanent commitment to reform, improve, and expand equality, excellence, and opportunity.

Congress has an obligation to assuage these and many other needs; yet with so

many committees having oversight over so many programs, the process often gets bogged down and our children suffer.

Therefore, I am proposing that we establish a new legislative service organization: the Congressional Children's Working Group.

Its purpose would be threefold:

To support the creation of intelligent legislation designed to enhance the lives of children, especially in the areas of health, education, and training;

To identify successful children's programs around the country and use them as models for other communities in need of similar approaches; and

To coordinate with congressional committees, and outside advocates, the focus and extent of children's programs within the Federal Government and around the Nation to expand the successes, combine or coordinate duplicative services, ensure that funding is being used wisely, and act as a think tank and clearinghouse for general and specific information on what is available for children, their parents, their teachers, and their advocates.

Clearly, there is a demonstrated need for such an organization.

Virtually every Member of Congress will agree that our children are our greatest national resource, and should be an asset that we jealously guard and nurture. Yet, from the years 1987 to 1988, spending on children by the Federal Government has actually decreased by 4 percent.

For a while this year, it seemed that congressional desire to address the needs of our children—their health, their housing, their general welfare, and especially their education—had never been greater. But like many other issues, the interest flashes and wanes on an almost daily basis.

Madam Speaker, the ultimate purpose of this working group is to institutionalize children as a main priority of the Congress. These priorities cover vast areas of jurisdiction; so many congressional committees must cover thousands of programs. Tens of thousands of private programs around the Nation are struggling to make a better life for America's next generation; many are succeeding, but some are not.

Our children, through Congress, would realize endless benefits with a legislative service organization dedicated to finding the best and brightest of these works at the State and local level, and proposing ways to expand them to other localities, or, where appropriate, on a nationwide basis.

The Children's Working Group would also support efforts to create new, intelligent legislation, factoring in the budget shortfall, and developing new ways to expand educational, health, and other programs without spending huge new sums of money. This would include nurturing the active involvement of the sector which stands to benefit the most from our success—American business. If Congress does not address the shrinking skilled labor pool in this country, American competitiveness is in grave danger. We can help expedite partnerships between schools and businesses.

Madam Speaker, in just a few days the entire membership of the House will be receiving an invitation to join me and the other founding members of the Congressional Children's

Working Group as part of this organization. In order to assure the children of America that Congress believes in them and their future, I urge all of our colleagues to join us in demonstrating our commitment to the youth of our Nation.

Mr. CRAMER. Mr. Speaker, I would like to say that as a prosecutor back in Alabama in 1982 and 1983 I faced one of the scariest subject matters that I think any human being can face, much less a prosecutor can face. I had seen the worst of what one human being would do to another as a prosecutor. I have been in the courtroom prosecuting people who had killed other people, people who had maimed other people, people who had raped other people, people who had broken into other people's houses and stolen their property, but never had I been ready to face those offenders who would offend in the way that I would see offend against children.

I faced the enormous issue of child sexual abuse. I took two boys into the courtroom that were 5 and 7 years of age in 1983. Those two boys had been abused by their mother's boyfriend. Those two boys had been abused in such a way that one of the two would need surgery that would correct the damage that was done to him.

I was not prepared to interview those children. I was not prepared to take those children into the courtroom. I was not prepared to help those children deal with what they had been through or to face down the line what they would have to face as a consequence of that kind of abuse. I realized right then and there that the system that responds to children and families often revictimizes children and families.

Those two boys shut down on me and could not go into the courtroom. We had to get a therapist from the community to come in and teach me how to talk to those two boys. In the process the offender left our community and went to Houston, TX. We were lucky we caught him. A year later we brought the boys back into court, but we had to start all over again.

Mr. Speaker, I did not want to be a part of a system that responded to children in that way, so I set about to try to correct the system. We looked around the country for a program that was working. We saw pieces of a program in California, pieces of a program at the Children's National Medical Center here in the D.C. area. We went back to our community, and we rolled up our shirt sleeves, and we put a program together that made sense. We located our program in a house in a noninstitutional setting. We looked at what we were doing to children, and we saw that we were bouncing them from one agency to another agency, that we were making children come to us and meet our needs. We decided we needed to go to them and that we needed an environment that we child and family

focused, not an environment that was institutional focused.

So, we started our program called the Children's Advocacy Center Program. We opened the doors to that program in 1984. We had no idea that anybody in this country would be interested in that program. But within a year I got a call from the State of Hawaii, from a State legislator there named NEIL ABERCROMBIE. The State of Hawaii had heard about our program through a judges' conference they had been to. They had sent a judge to a judges' conference. Judge Michael Town took the message of our program back to Hawaii, back to NEIL ABERCROMBIE, and NEIL ABERCROMBIE called us and said, "I want to draft a bill. I want my Senate committee to review a bill that will start a similar program in Honolulu and eventually for the entire State of Hawaii." So, we went to Hawaii in January of 1985, and we testified before NEIL ABERCROMBIE's Senate committee. Hawaii passed a bill that would fund the first program that was replicated after the Huntsville, AL, program, the Hawaii Children's Advocacy Center Program, and eventually the Rotary Club there would join with them and would provide the funding necessary to open such a program.

Mr. Speaker, little did I know that I would come to Congress in the new 102d Congress and meet my colleague, the gentleman from Hawaii [Mr. ABERCROMBIE] who brings with him to Congress the experience that we shared back in Hawaii. I would like to yield to my colleague from Hawaii and have him address this issue from his perspective.

Mr. ABERCROMBIE. I thank the gentleman from Alabama [Mr. CRAMER] very much. He is much too kind in recommending our program in the sense that I had much to do with it other than to take advantage of the pioneer work that he did.

□ 1350

Many times on this floor accolades are exchanged between one Member and another, but in this particular instance I want to say for the record that it is absolutely clear that the gentleman's leadership, while a prosecutor in Huntsville, AL, provided the very foundation for what I hope will be and I think we both hope will be a national program. I am sure we are going to discuss at greater lengths some of the programs that have evolved since we got together back in 1985, but I do want to reiterate my high regard for the gentleman and commend the people of Alabama for having the foresight to not only have the gentleman there then but to have him here now, because with the gentleman here, I am sure that those of us who are advocates of this program will be able to succeed.

What we did in Hawaii, as the gentleman has indicated, was on a state-

wide basis take the gentleman's program, which was essentially locally based, and use his experience and apply it to general legislation. In effect, we did two things: Some of this has been alluded to, but it bears repeating, and that is that we saw to it that children were detraumatized.

I think the gentleman has already described, at least in one particular case, the kinds of situations that occur in courts all across the country, that occur in prosecuting attorneys' offices across the country, and that occur in child welfare offices and children's protective offices all across the country, where young children are faced with the most awful kind of abuse, sexual abuse. Unimaginable catastrophe has taken place in their personal lives, and those of us who must then deal with it professionally, ostensibly from a distance, try to remain separate from it to keep ourselves from becoming personally involved, but we find ourselves in turn in an almost impossible situation. How can we deal with such a situation legally, how can we deal with it morally, and how can we deal with it institutionally when the dimensions of it are so utterly personal, so utterly devastating?

The experience the gentleman had in Huntsville showed us the way. We were able to transpose that legislatively into providing for the Children's Advocacy Center in Honolulu and subsequently throughout the State of Hawaii. We located the responsibility factor in our judiciary. We have a rather unique system in the State of Hawaii, where our judiciary is in fact statewide, and we were able to coordinate it in that fashion, I think perhaps a little more easily than some other States and localities might be able to do it. But we were able to focus legislatively on the question of detraumatizing the child, the victim, and to concentrate on increasing the likelihood of success of prosecutions of the perpetrators.

In other words, I think the gentleman will agree that we have an ideal combination here. Whatever your ideological persuasion, whatever your political persuasion, we find here an opportunity to combine two very, very important things: The capacity to see that perpetrators are stopped from committing the crimes against the children, and the opportunity for the victims of the crises, the children and their families, to find counseling, to find a way of dealing with the problem that will better enable them to grow up whole, to grow up with an opportunity to increase their sense of self-esteem and their sense of dignity.

The crucial factor here, then, it seems, for us at the national level is to take the experience that now is evolving or has evolved in more than 60 locations across the country to establish a program, not a center at the center of the government that will dictate to the

local government what is should or should not do with respect to the advocacy of children who have been abused, but rather to facilitate, to act as a facilitator, to act as a catalyst for programs locally oriented that evolved from local contexts. We can become a catalyst for them in such a way as to see to it that their program for detraumatizing children and for seeing to it that perpetrators are convicted are able to advance themselves.

We hope to present legislation shortly, with the help of the gentleman from Indiana [Mr. ROEMER] and others who have demonstrated their efforts, particularly members of the freshman class, legislation which will advance the possibility of assisting locales throughout the country in creating their own children's advocacy centers. The centers will be out there where they are needed, at the local level. We will merely act as a clearinghouse at the national level to see to it that grants are forthcoming and that help is given in every way by virtue of consultation with those who are knowledgeable in the area.

I want to indicate in conclusion that what we seek here is facilities such as those the gentleman has mentioned that are not court-based in the sense of actually existing in building, a court building or a district attorney's office or a defense attorney's office, the kind of atmosphere that might be intimidating to a child who has been victimized by a sexual abuse or to family members. On the contrary, the atmosphere is one in which a home, an area of retreat, is possible.

This is very, very important, and I think that when that kind of a situation is put forward, people can understand that. They can relate to it in a way that they can begin to comprehend and deal with the awful reality associated with child sexual abuse. And in those circumstances clubs like the Rotary Club in Honolulu, which has done such incredible work in this area, are able to join in. I think that people who are listening to our discussion across the country will find that in their communities there are people ready to help, organizations ready to be helpful and assist. What they need is direction. What they need is a core of information and direction that will enable them to carry out what is their natural desire to be helpful. So when you have such a facility and when you have a clear-cut program whose objectives are very, very clear, then it is possible to put together an advocacy center in your community. We stand ready to be helpful, and we hope our legislation which will be forthcoming will provide for exactly that.

So in conclusion, I want to commend the gentleman from Alabama [Mr. CRAMER] again. I know he does not need the accolades, and I know he does not seek them, but I hope to join with

him and with the gentleman from Indiana [Mr. ROEMER] and all the rest of the Members, particularly the members of the freshman class. If we made no other mark in this 102d Congress than to have stood there for the children and acted on their behalf and saw to it that legislation was passed which advanced their cause, then we would have well served our purpose here in the 102d Congress.

Along with the gentleman from Indiana [Mr. ROEMER], I can assure the gentleman that he will have our support, and I will work with him, not just to bring the program as we have it in Hawaii or for that matter elsewhere to the rest of the country, but to bring the opportunity to establish such a program in any and all communities across this great land.

Mr. CRAMER. Mr. Speaker, I thank the gentleman from Hawaii, and I would like to engage him in a brief colloquy here.

I think we have both been aware recently that we have been challenged by the recent U.S. Advisory Committee report that we on the Federal level need to get our acts together. We know that the Children's Advocacy Center programs make sense at the local level. They bring together a multidisciplinary field that needs to be together, that often is not together, and without a program like that to bring the focus or the focal point, those people are not going to get together. Those people are prosecutors that need to work side-by-side with medical personnel, with social workers, of course, with law enforcement detectives, and with other service providers there from the community that often make children go from one location to another location, and then to still another location. We work together out of that facility, not just for the sake of prosecution, though prosecution is very important, but we work together out of those facilities in order to review cases, in order to provide an environment that makes sense to the children and their families. So rather than shutting them out of those systems, we are opening ourselves to more of those cases.

□ 1400

Mr. ABERCROMBIE. I think it is important for everyone to understand that this is in fact multidisciplinary. The most difficult part in putting the legislation together was not in seeing that it got passed. I think you will find legislators are ready to aid and assist in this regard. The difficulty was in making clear to the prosecutor, making clear to the police department, making clear to the child protective agency, making clear to the witness and victim programs that exist in many areas, making clear to each of these individuals and institutions, which have a certain degree of responsibility in this area, that by working

together, all of their causes would be advanced, all of the interests for which they exist would be advanced.

Most fundamentally, the taxpayer is able to see a coordinated effort on behalf of the children made with public dollars, as well as those from the private and nonprofit sector, in a manner which advances the capacity for all of us to see to it that those children do not have to go through the kind of situation which ends up with them further traumatized than they already are, further degraded than they already have been, and the likelihood of perpetrators actually being able to get away with it, actually being able to do it over again, and not receiving any help to the degree they are capable of receiving help. Because the system itself, minus this approach, actually works against the interests of the child and against the interests of law enforcement.

Mr. CRAMER. As we redefine this system, this system makes more sense to those children and family members.

One of the most rewarding experiences of my career as a then prosecutor was bringing a then 16-year-old child that I had taken into court when she was 12 years of age, when we did not have a child's advocacy center program, and bringing her back at age 16 and taking her to the center, this neat house in Huntsville, AL, and letting her walk through. I heard her say, "Mr. CRAMER, I wish we had a program like this when I went through what I had to go through. This program makes sense."

Do you know what she went on to tell me? She said, "The thing I never understood is why you people wouldn't talk to one another, why you people wouldn't communicate with one another. Every time I would go see someone else, I would have to tell my story all over again."

She lost confidence in us as professionals representing institutions, and she lost confidence in the system that was trying to help her, but yet was revictimizing her.

Mr. ABERCROMBIE. We become so concentrated on our own responsibility and our own areas of competence, if you will, that we have excluded others, or are even suspicious they may be trying to intrude in our territory.

We may be properly concerned that cooperation with someone else or another institution or another entity in law enforcement will harm the case in some way, will prevent us from carrying out our duties in some way.

What gets lost in all of this is the child. The child's needs are lost. The child becomes a grist for the mill of bureaucratic grinding as opposed to the focus and center of the activity of any institution or entity which is dealing with the area.

So not only do I agree, but I want to reemphasize, for those who would be

thinking about trying to join with us in this cause of children. Make sure that we do not focus so much on the adults, and make sure that the adults do not act like the children that they think they are serving, so that they fail to recognize that the only way to make this work is to have it on a multidisciplinary level and a cooperative level.

Everyone's rights are protected. The children's rights in particular are protected. The rights of society to be free of this kind of criminality is protected.

Mr. CRAMER. I would like to back up here and tell the gentleman that after the call from the Hawaii program and after we visited you and helped you pass the legislation that would start your program there, to our amazement communities responded to these programs. They visited Huntsville, they visited Honolulu. They wanted to know more. Then they replicated the programs.

In some instances they adapted them and had components that we did not even have in our programs. That is important.

Mr. Speaker, we now have a network of more than 70 programs around the country that have replicated these programs and have built on these programs. As you know, we have had groups come into Huntsville, because we have an annual symposium there, because an important part of what we must do is to continue to train one another, to continue to see that we specialize, so that we know the best techniques to use with children and families, so that we keep up with those.

But I think it has been amazing for me to see in Huntsville, AL, there on a local level, there in a community of 150,000 people, we have been able to do something that makes sense and something that other communities could learn from as well.

Mr. ABERCROMBIE. This is the great advantage of the program that we are proposing, because those who may not have it in their communities right now will be able to talk with people just like them. They will be able to see people who had to come to grips with problems, just as they have those problems.

This is not something that is going to be coming from the top down. This is not something that is going to be dictated from some Federal center as such. What this is is an opportunity when the legislation is completed to have the advantage of being able to consult with people who are dealing with the same problems you are, at the same level that you are, and to gain the benefit of their experience.

Judy Lind, our tremendous director out in Hawaii, for example, would be available. Of course, I know she knows I am volunteering her. She would be available. Individuals at the other programs, the almost 70 programs now,

would be available to consult with other people, come to their towns and give them the advantage of their experience.

So I think we would find here not only is this a facility-based program that makes sense, but it is also an experience-based program that makes sense at the community level.

Mr. CRAMER. I think this proves that one-stop shopping services for children and families is a concept that makes sense. In the Select Committee on Children, Youth, and Families, we have heard during a number of hearings that speak to infant mortality issues, that speak to all kinds of issues that impact youth, that what we must do is to bring services into the communities. That is exactly what these kinds of programs do.

I would like to involve the gentleman from central Florida [Mr. BACCHUS] in this discussion. I know that as a fellow new Member of Congress, the gentleman has evidenced a lot of interest in programs and innovative techniques that impact the children and youth of today.

I would like to challenge the gentleman to join with us in this colloquy and to add to it.

Mr. BACCHUS. I thank the gentleman from Alabama [Mr. CRAMER].

Mr. Speaker, I came here to join this special order that the gentleman has organized because of my enthusiasm for his leadership on this issue. I hope that the constituents of the gentleman in Alabama and those of the gentleman from Hawaii [Mr. ABERCROMBIE], know how hard they are working to help children and how committed they are. I think they do know this is a commitment that long preceded the service in Congress by either of these gentlemen.

I, too, have long been involved in children's issues. I became a member of the Florida Center for Children and Youth Board of Directors in 1976, before I was even married, much less a parent. I helped organize the Citizens Commission for Children in Orange County back when I was a community activist, before I decided to run for Congress. I, too, have been involved in these issues. I have been trying to work at the grassroots for change.

As the gentleman from Alabama [Mr. CRAMER] and the gentleman from Hawaii [Mr. ABERCROMBIE] both know, I do what we call Citizen Saturdays. I go out on most Saturdays and take groups of people with me to do different kinds of community service.

Oftentimes my Citizen Saturdays involve children and children's issues. My very first Citizen Saturday 2 years ago was in the homeless shelter run by the Coalition for the Homeless in Orlando. I saw there that most of the homeless in our community are in fact children.

For the past two Christmas Eves my family and I have gone to the homeless

shelter in Orlando and seen those children line up for what toys are available and what meals can be found.

On another of my Citizen Saturdays I took a group of friends with me and we went to a shelter in Satellite Beach over on the coast of Florida. The shelter is just two blocks from the beach. It is a shelter for some preschoolers who are victims of sexual and other kinds of child abuse.

We took those children, about a dozen of them, to the beach on a Saturday. We had a good time. I was struck by the fact that even though those children live just two blocks from the beach in that shelter, even though they were children from Florida who lived in a coastal community, most of them had never been to the beach.

Also I have worked at a place called the Space Coast Early Intervention Center in Melbourne. There is a wonderful woman who runs that center named Betsy Farmer. Her young boy had Down's syndrome. She found when it was time for him to go to school, there was no way to mainstream him, because there were no services in our county that enabled those children to be taught in a way that would help them to be mainstreamed. So she found this center.

I went over and volunteered to work with her and her son and the other children there. She has been able to mainstream children into the public schools through her hard work and her love for those children. Yet we do not have the State, local, or Federal resources needed to make it possible for more of those children to have the chance that they deserve.

□ 1410

A few Saturdays ago I was again in Brevard County on the coast. We volunteered in the public health department to help bring out young children so that they could be vaccinated against dreaded childhood diseases.

It is a shame that in this country our rates of diseases such as polio are going up. We thought we had long since abolished those diseases, but because of cutbacks at the Federal level we see that many of these indigent children and others do not have the vaccinations that they need. The children were lining up for these vaccinations.

I have also been at the Head Start centers in central Florida. In Osceola County just south of Orlando, I brought together several hundred people on a Saturday last fall and we were able, through our efforts, to expand and renovate a Head Start center so that a couple dozens more children could go to that Head Start Program. I worked there, and I met a number of those children.

Many of them there in the shadow of Disney World nevertheless live in trailers with no running water and no electricity. Many of them do not have any

language skills at all, when they get to the Head Start Program. By that I do not mean that they speak a foreign language. I mean that they are 4 and 5 years old and they have been so neglected, so ignored that they do not know how to talk. Many of them have never sat down at a table to eat until they get to the Head Start center.

We do not know what we are doing to our children in America. We do not know what kind of a whirlwind we will reap because we are ignoring and neglecting them.

I wanted to be here to congratulate my colleague, the gentleman from Alabama [Mr. CRAMER], for his leadership, because I know of his conviction and I know of his faith in this country and this Congress. And I know that he knows that we rebuild our democracy from the grassroots up if we care for and tend to the needs of our children.

Mr. CRAMER. Mr. Speaker, I thank my colleague from Florida. I know that he would share with us that Members of our freshman class have challenged one another and have joined together to form a children's caucus that we hope will bring programs to the attention of the Congress itself, programs that come from the local level, messages that come from the local level so that we do not just enhance the bureaucracy that responds to children and families but that we pass on as a clearinghouse programs back to the local communities that make sense. That is what we should be doing.

Mr. BACCHUS. Mr. Speaker, that is right. We need to preserve the latitude for local people to make local decisions. I am persuaded that those folks that are running the Head Start Programs and child nutrition programs and abuse programs in my district know what to do. They simply need the resources and the flexibility to do it.

That is what we need to do. We need to organize our children's caucus, and the gentleman from Alabama [Mr. CRAMER] and the gentleman from Hawaii [Mr. ABERCROMBIE] and the gentleman from Indiana [Mr. ROEMER] and others and as members of our freshman class, I am proud to come together on this issue above all others. We disagree on some things but on this we do agree.

There is no future for America unless there is a future for our children. We cannot, any of us, be truly free unless each of our children has a chance to be free. This should be the birthright of all Americans.

Mr. CRAMER. I thank the gentleman for his time today.

Mr. Speaker, I would like to further indicate that the National Network of Children's Advocacy Centers has formalized itself. We are now a membership organization. We have united the 70 programs from around the country. What we want to do is help other communities that want to establish similar programs.

Every community in this country is responding to cases of child abuse, the frightening cases of child sexual abuse.

We want to believe that those kind of offenders do not exist and, if they do exist, that they exist in someone else's community. But they exist in every community in this country.

In Huntsville we have had thousands of people come in to visit, to photograph, to measure the little house that we work out of there so that they can take that message back to their communities.

We on the Federal level must help the local levels. We have here in Washington this week some 15 representatives from programs around this country. What we are doing with our colleagues from around the country is making them familiar with what Congress can do to help, making them familiar with what the Federal Government can do to read out and provide the kind of helping hand, but at the same time without a helping hand that creates a bureaucracy that ends up being our own worst enemy.

I think at the ninth annual hearing in Denver, the message could not be brought clearer to those of us that need to be responding to this problem than it was by the former Miss America, Marilyn Van Derbur Adler. She spoke powerfully in Denver as the victim of incest. She spoke powerfully with a message that was confused but a message that was clear, a message that said, we must pay attention to this problem, a message that said we must get our acts together and we must provide a helping hand.

She had turned for help and she was not believed and she suffered with this victimization for a long, long time.

What we see now is programs that make sense, programs whose message should be made clear to the rest of this country.

I am pleased to join today to bring this very important message to the Congress, pleased to speak on behalf of the National Network of Children's advocacy Centers around this country, pleased to join my fellow colleagues, mainly in the freshman class in Congress, who have adopted issues that impact children and families as our special issues, issues that are the best economic growth issues that we can be involved in.

We want to see something done, but we want to see it done clearly.

ISSUES OF CONCERN FOR AMERICA

The SPEAKER pro tempore (Mr. MAZZOLI). Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes.

Mr. DORNAN of California. Mr. Speaker, this is an unexpectedly early day so I am going to take advantage of

it to touch on several subjects this afternoon, issues that America may not be aware of.

Mr. Speaker, I am going to continue to speak out until the House leadership changes this undignified and, as our British Parliamentarians would say, unseemly rule of panning this Chamber with our six cameras to show an empty House, which is deceitfully misleading as to the reach of the voice of the Members that just had an interesting special order on child abuse. This procedure goes back to two Speakers ago, when our distinguished friend and former Speaker Tip O'Neill got into kind of a personal quarrel with some of the Republican Members who were making special orders every day.

The battle for Nicaragua's freedom was going on, as well as other issues, and Tip decided panning an empty Chamber would discourage people from listening. The rules of the House say that I must direct all of my remarks through the Speaker, and I accept the rules of the House. It adds a note of decorum and dignity here.

However, Mr. Speaker, we both know that 1½ million people are listening to the proceedings of this Chamber. Maybe the quality of the preceding special order, as important as it was, was not exciting enough for some bozos in this country that they turned off C-SPAN.

"Bozos" is a term that Ted Turner, who has caused a communications explosion in this country, uses. Another term is C-SPAN junkies or groupies, a demeaning term.

Mr. Speaker, I think we both agree, as would most Members in this House, that those citizens who take the time to watch C-SPAN and watch the conduct of the Senators, are anything but bozos or groupies.

Such a citizen is a concerned citizen, a person who wants to understand how his Government is functioning and where his tax dollars are going.

When we have 1-minutes at the beginning of the day. To the new concerned citizens watching us on C-SPAN, those 1-minutes are something they do not have in the Senate where they have unlimited time to speak. In the House these 1-minute speeches are a form of a steam valve to release pressure. Both sides of the aisle come to these lecterns in this great well of the world's most important parliamentary body and sound off, hopefully with some passion, hopefully with a lot of coherence and clarity.

There was a big battle this morning as to whether or not the President had used the word "garbage" in a very loose kind of general way about bills he was going to veto or whether he specifically applied it to an unemployment bill and unemployed people, which is not true. But there was a ferocious give and take here.

At the end, and I took a head count, there were eight Members on the floor.

Yet, the cameras were not panning the Chamber, Mr. Speaker, and showing that there were only eight Members here.

We all know there are another 300 or 400 Members listening to those 1-minute speeches on the television sets in their office.

□ 1420

Ted Turner himself wired this Hill to his CNN and then to 24-hour news and C-SPAN. This public service, nonprofit operation is sending my voice and your image, Mr. Speaker, at this minute to Guam, where it is almost tomorrow, just after 4 o'clock in the morning, and to Hawaii, where it is only 9:20 in the morning, and to California, where it is 11:20. It goes all over. And on those 1-minute speeches, the cameras stay focused on the Democrat lectern and the Republic lectern. It has some dignity. You see, that man or woman is speaking to many people, about 1½ million if you include the electronic technology.

It is rare that we ever have more than 10, 20, 30 people on the floor during debate. I remember when former President Richard Nixon was a House member and spoke about Alger Hiss. He filled the Chamber. Every seat. That is a rare historical happenstance and comes along once in a generation.

Sometimes when we are trapped at night, at the end of a session, right before Thanksgiving or Christmas and the Members have nowhere else to go but the dining room, they come up here, and you may get 300 to 400 Members in the Chamber. That is very rare.

But during the legislative day, the average is maybe 20 Members. We do not demean the legislative process, Mr. Speaker, by panning the Chamber and showing there are only 20 people, and many of them not even listening to the particular debate on the House floor. The gavel has not come down. The House of Representatives of this 102d Congress is in session right now. But only at this period, when Members take advantage of 5, 10 minutes or 1-hour special orders to also let off some steam, but also to try to expand on a theme in depth, only at this time do these cameras rudely and deceptively pan what is an empty Chamber.

We are not allowed to refer to the gallery, Mr. Speaker, but I think I can make a technical reference as to the number of people in the gallery, which is about 56 people. The press gallery is empty. There are 56 good Americans that came to Washington, DC, to come inside this Chamber, follow the course of the events and history here. When they are home, even in an old, terry cloth robe, with their second cup of coffee in the great State of Hawaii where it is 9:23 in the morning, they are availing themselves without an airline ticket, or a heavy amount of road traffic and travel, of the privilege to sit in this gallery, electronically, and lis-

ten to my words and watch the course of this House.

So to the American people, I say again, Mr. Speaker, through you, stop calling my office and saying you hated it or you loved what I said, but that you felt sorry for me because nobody was listening, because 1½ million people have joined the 56 people in the gallery, and our tremendous reporters and staffers here to listen to whatever takes place in these special orders. A million and a half, and it is a growing audience. Every time, and thank God that housing starts are up, every time a new subdivision is built anywhere in this country, from Maine to Guam, from Alaska to Puerto Rico or the Virgin Islands, they are wired immediately for cable television. And if you have a good system, C-SPAN is there.

Amazingly, of the 4,000-some systems across this country, the overwhelming majority carry C-SPAN 1. That is the House of Representatives. It drops off to only about 800 out of 4,000 that get C-SPAN 2, which is the Senate. Maybe they should go to the House rules, have 1-minute speeches, special orders, a 5-minute limitation, with a required polite asking of extensions. Maybe if they had a shorter, more terse debate over there on legislation, more cable systems across the country would add C-SPAN 2.

Enough of the prolog. I am going to do it every time I speak, hopefully I will make it a little shorter next time.

Now I am going to discuss for the first time not two subjects, which I have done rarely, but call it seven subjects. Pull up your socks. As Bette Davis would say, "Tighten your safety belts. You're in for a bumpy ride."

No. 1, Kimberly Bergalis. I met with her this morning in a colleague's office, Mr. DANNEMEYER, and I am telling you, tears came to my eyes. My throat closed because I was in the presence of a saint. This young lady from Florida who is close to death from AIDS, is a young saint. I felt like I was in the presence of Mother Teresa, and anybody who has met that lady knows they are in the presence of somebody very spiritual, or a word we do not use too much these days, very holy. She is a very holy person.

I said "Kimberly," as I choked past what Ronald Reagan used to call the golf ball in your throat when you are emotionally moved, I choked back the words, "God bless you. You have not wasted your time here speaking for 20 seconds, or maybe half a minute," in front of the Health Subcommittee, Mr. WAXMAN's subcommittee.

I had a reporter come up to me in the hall after she had gone in her wheelchair up one floor to Mr. DANNEMEYER's office, and he said, "Well, all this travel, that long train trip for 20 seconds?" I reminded this press person that Abraham Lincoln only used 266 words in the Gettysburg Address. It is the impact of

your message, not the length of your discourse. And her image on television across this Nation tonight is going to speak wonderfully, powerfully, for getting as many people in this country as we can logically get tested for this not epidemic—that is the one thing that Kimberly spoke improperly about, she said epidemic—but pandemic. What is the difference? An epidemic is in a country or a geographic area, not too broad. A pandemic means a worldwide epidemic raging out of control. This pandemic, with no cure in sight yet, is going to kill tens of millions of people in the Third World. And Kimberly simply says, "Don't let me die in vain."

Her father was powerful and eloquent. I told Kimberly, "Your dad was as vibrant and as clear as the Liberty Bell." I said, "We know that's cracked. I hope this process around here does not crack him because he's fighting for his daughter."

I met her two beautiful sisters. Both looked up to Kimberly. One was in her twenties, or maybe only 18 or 19. I said, "Is this your first time to Washington, Kimberly?" "Yes." "Your first trip, too," to her sisters, her siblings. "Yes." "Yes."

I said it sure is a bad circumstance to come up here. It is a beautiful city to visit, this great Federal Capital, and look at all of the great history that went before us in creating this great free country that is the beacon of freedom for the whole world. And she said they were going to stay a few days, and they hoped to get to the National History Museum and to see the Hope diamond and the dinosaurs, and I said not to forget the Air and Space Museum. That is not for men and young boys only. There's a lot of great history of women pilots over there and astronauts.

So it is sad, is it not, to think of the family, the Bergalis family coming to this town. And let me mention the Driscolls and Mrs. Webb who sat there giving brilliant testimony. And I think it was falling on deaf ears in some cases.

The CDC, Centers, that is because there are six of them, Centers for Disease Control down in Atlanta does not, at this moment in time, know how Kimberly Bergalis was infected with the AIDS virus.

Let me tell you something I learned as a Member of Congress. There is a fingerprint, an identification to everyone's personal HIV, human immunodeficiency virus. Their own HI has a fingerprint, and the fingerprint of this dentist, Dr. Acer, who engaged in reckless conduct and infected five of his patients of his AIDS manifestation was 99.999 similar to that of Kimberly Bergalis and the other four patients who have contracted it. The CDC says there is no doubt that Dr. Acer infected these five patients.

□ 1430

But we do not know how. If we do not know how, then how can great doctors with a tremendous record of surgery and service like Dr. Koop be so cavalier in claiming there is not a serious problem here? Well, in fairness to my friend Dr. Koop, he has not been that cavalier. We have not heard from him in the last few months.

But Mr. Bergalis, Kimberly's father, was quoting his statement of a few years ago that the chances of getting it from a health care worker, a nurse, paramedic, doctor, were nil. Nil is a synonym for nothing, no way, nada, cannot happen. Well, it has happened.

If the CDC doesn't know how Bergalis contracted it, how do they know what adequate precautions against transmission are? Knowing that, how many people would risk seeing a dentist they knew was HIV positive? Don't people have a right to make that decision for themselves? And here is something that mystifies me, and I told this to the press this morning, and I may do MacNeil-Lehrer this evening, because they were calling right before I came out here.

Here is what mystifies me: Doctors and health care workers, all health care workers, are at far more risk than patients, far more risk. But instead of them having to arrogantly say, "I want all of these patients tested if I am going to do anything that involves blood or any invasive dental surgery, body surgery, I want them all tested. But I am not going to be tested."

How much easier for doctors and nurses and health care workers to protect themselves by saying, "We are going to go first. Every one of us who deals with any invasive procedures of the human body, we are going to be tested for the HIV virus. If we have that virus, we are going to tell our patients even though we will lose a lot, if not most, of our practice, because the patients have the right to make that call." But having said that, then the whole health operation in the United States says, "But we do want all of these patients to be tested for our protection, because we are more at jeopardy, because we are always dealing with disease or people who are temporarily or permanently unhealthy." It is a two-way street, and it redounds to the benefit of those most endangered, and that is the people in the health-care system.

So why is it that if you apply logic, we have this resistance? It came up at the hearings today in Mr. WAXMAN's health committee. It is simply that this is not being treated as a public health problem, as a public health menace: It is a political disease. That is the way it is perceived.

Now, consider the certain death faced by these five people who are at various stages of the disease. Some of them have not manifested anything yet. I

can remember Kimberly Bergalis on the cover of one of the newsmagazines last year, a beautiful young woman in the flower of her life, and within 3 months she was in a bed, and we were all thinking she was going to be dead before the spring was over. Yet the summer has gone by; yesterday or today was the first day of fall, and Kimberly is still hanging on.

Do you know what her doctor, her personal physician said? That she is fighting and clinging to her life for today, for the right to testify for a few seconds this morning so that her death is not in vain.

Compare the reaction of the Bergalis case with the recent New York City subway accident where a drugged-up conductor caused the deaths of five people.

After the New York incident, no one came forward to say, "Look, this problem has only caused five deaths from among the many millions and millions of people who ride the subway every year. Let's not make too much of it." Yet that is exactly the attitude of those, like Mr. WAXMAN, who downplay this problem by pointing out how rare it is. Thus, Mr. WAXMAN in his opening remarks said, "There has been a report of transmission of AIDS from a dentist in Florida to five of his patients. There have been no other such reports from dentists, surgeons, doctors, or nurses anywhere else in the world." So what. I could say the same about drugged-up subway conductors killing five people.

Indeed, the chances of you being killed by a drugged-up subway conductor in New York are far less than contracting AIDS from Kimberly Bergalis' dentist or any other health care worker. Yet in the case of the subway conductor, there are charges being brought against him and demands that drivers be routinely tested for drug use. In the case of Kimberly Bergalis there is widespread sympathy for Kimberly, but admonitions that we should not take precautions against further transmission. And you tell me this is not a political disease?

When people step on a subway in New York, they have the right to know that the conductor is not using drugs. When conducting medical operations, both patients and doctors have a right to know that HIV is not a factor.

I called CDC to get the latest figures. Keep in mind that it is September 26, September being a 30-day month, and this month is already shot, so you can add many more dead people to the figures I am about to give you as of August 31, almost a month ago, the official figure for AIDS deaths in America is 116,734; gone to their judgment day, 116,734. Now, that figure is low by 10 to 20 percent. Dr. Koop told me that.

I am going to accept the low figure though. I think it is more like 20 percent low. Most medical people I talk to think this figure is 20 percent low. But

I will just take the 10, and 10 percent of 117,000 is another 17,000. So we are probably up to 134,000 dead people.

I had better give you a footnote on why this figure is 10 or 20 percent low. A lot of doctors, honorable men, particularly in the early phases of this killer communicable venereal disease, would take a person who died of pneumonia brought on by AIDS, and, instead of putting the cause of death as AIDS, said, "I am going to put down the proximate cause of death as heart attack, dementia, Kaposi's sarcoma," all sorts of other invasive cancers, bodily failures, and pulmonary disease. That went on for years before the health community and the CDC, the Federal Government said, "You are hurting us statistically. You are crippling us if you do not put down that AIDS was the cause of the heart attack, the cancer, the pulmonary disease or whatever else killed that person."

Kimberly Bergalis is not going to say, "Well, put down that it was lung failure or something like that." She would say "Put down it was this HIV virus given to me by a dentist that killed me."

Madam Speaker, with 134,000 dead, let me now get into the controversial area of homosexuality that has made this not a health problem but a public-relations and political problem. But before I do, let me say that I think it is a shame and a disgrace that more Members do not apparently take the time to educate themselves on this issue. I visited the Louis Pasteur Clinic in Paris, I have gone to the WHO, the World Health Organization, in Geneva. I do not know of any other Member who have stood up and said, "I have been there, too, BOB," when I say that on the floor. I have squared the corner, the Pan American Health Organization here, the CDC in Atlanta, the NIH, just 20 minutes north of town. The last time I looked at the guest book it was President Bush, myself, and that is it. No Senators, no Congressmen have been 20 minutes north of town in Bethesda to get the real hardcore facts and say, "Where are we going," and to put to rest a lot of rumors that were flying around 4 and 5 years ago.

When I made my comeback from Orange County, having been a representative from Los Angeles County, I called the Library of Congress, and asked "How many Senators and Congressmen have ever made a speech on AIDS? How many people have had the word 'AIDS' come out of their mouth in this well?" Guess what the answer was. Zero, Madam Speaker. Nobody had made the speech.

So I called for Dr. Mason to come over. Now he is the No. 1 man at the health division of our biggest budgetary item, Health and Human Services. He came over, and down in room H-139, he briefed me and some other

Members. Guess what just struck me today. Today is the date, September 26, 6 years ago we got a briefing that caused some of us not get our hair curled, because we are too old, to lose our hair over it.

I could not believe it. Former Congresswoman Bobbi Fiedler was there; the gentleman from California [Mr. DANNEMEYER] was there. He had already been charged up, because 17 days before that on September 9, the gentleman from California [Mr. DANNEMEYER], alone and unheralded, cleaned up the blood supply in this country which was contaminating all sorts of innocent people, and I just do not mean hemophiliacs who need to have frequent blood or blood-substitute transfusions; I mean totally innocent people going in for every type of surgery.

One of my daughters had to get an emergency transfusion of blood once because of complications at birth and postpartum bleeding. And if we had known then what we know now, the whole family would have had pints of blood stacked up there in case this happened. As it was, we had to take a pint out of the pool, and to this day we do not know what the end result will be, because this agony of waiting can go on for 14 years, maybe longer. Again, CDC does not know, NIH does not know, Louis Pasteur Clinic in Paris does not know, and Geneva does not know. Nobody knows how long the incubation period is.

So that cleaning up of the blood supply by Congressman WILLIAM DANNEMEYER of Fullerton, CA, was a heroic deed for this country.

□ 1440

Let me tell you what has happened since this Member's first speech on this killer, and so far incurable disease. By the way, the CDC tells me off the record, we never will find a cure. We will only find, as with diabetes, an immunization that can hold off the onslaught of the ravages of the disease and extend your life, but we are never going to get this virus out of the T-cells inside your body. It is always going to be in there.

One of the men who received the highest prize in medical science in America—his name was Angus McDougall or Angus McDonald or Angus McDowell—a young lab doctor-technician, he discovered how the virus penetrates the T-cell. He won the highest science award for that, and there is simply no way to get it out once it is in there.

My wife called me. She said, "Turn on the Oprah Winfrey show."

I said, "It's not general fare in the Republican cloakroom, honey."

And she said, "Well, she has on these doctors debating how you get AIDS and here is a young mother on whose O.B. doctor was infected with the AIDS virus and did not tell her and delivered

her baby. There were some complications, maybe an episiotomy or something, and there was a lot of blood. The doctor had sores on his hand.

She asked him, "What are those sores?" Before the birth, and he said, "Oh, it's a reaction to the sun."

He lied. It was Kaposi's Sarcoma. He was manifesting AIDS and he delivered her baby after he was advised by the hospital to tell his patients.

Now, I did not know this, and I cannot verify it, but my wife then told me that on Oprah Winfrey yesterday they said a baby does not develop antibodies. So this mother does not know. "I won't know for at least 3 years from now if my little child born October 10 last year is going to have this HIV virus."

But, let me finish what happened 6 years ago today when I spoke. I got the figures and I looked back. Anybody who contracted AIDS between July 1 and New Year's Eve of 1985, which encompass that 6-year period, 6 years ago when I was getting my first in-depth briefing on AIDS from experts, 89 percent of those people are dead. Everybody who heard my voice and had just been informed that they had AIDS or the virus, 89 percent are dead.

Take July 1989, 4 years later, just 2 years ago. July 1, 1989, to December 31, 1989, in that period of time anybody who was presented with their doctor's long, sad face, saying, "I'm sorry, but you have AIDS," 54 percent of those people are dead.

As a matter of fact, you should know this, most Members, about 98.9 percent, have never let the word AIDS come out of their mouth on this House floor. I think the gentleman from California [Mr. WAXMAN] would be around No. 4 because he conducts the health bill on the floor. But it is three Republicans that have made a regular practice of trying to alert the country to this killer pandemic. That is the gentleman from California [Mr. DANNEMEYER], the gentleman from Indiana [Mr. BURTON], and this Member here in the well.

Now, let us get the overall figure of cases, because we know there may be from 1 million to 2 million people infected. I will take the low figure of 1 million Americans who are going to die in the next decade or so. Of these people, 117,000 dead is the low figure, the figure of cases of which the high one being 184,000 dead.

Now, let us go back to that low death figure of 117,000. Take the low figure of how many got the virus as homosexuals or homosexuals/IV drug users. That is 73 percent. You take 73 percent of 134,000 deaths, that is 116 plus 10 percent, and you get, rounded off, 98,000 dead people of a homosexual sexual orientation, all males. I think there are two cases of lesbians, avowed lesbians who died of AIDS, and they got it through drug transfer or prostitution or something; 98,000 homosexuals, all of

them young by any definition of the word. I am not talking Jimmy Connors young, fighting it out in the Tennis Open at 39 years of age. I am talking about teen-agers and most of them in their late twenties.

How can anybody describe that lifestyle as gay?

Do you know what I did, Madam Speaker? I got our big dictionary here. It has been on the House floor for over 20 years. This is what the copyright says. It is Webster's Third New International Dictionary unabridged. You cannot find the word homophobia in here or homophobic or any of these cute words that if you study the etymology of the word, its phonic, graphic, or semantic derivation, it does not even make sense. But everybody knows the word. The first phobia word you learn is hydrophobia, when your dad or your mom is trying to teach you to swim. "Don't be afraid of the water." Hydrophobia.

What would homophobia mean if you broke it down in an etymological sense? It would mean fear of men, just fear of homo—man.

How is your Bible these days? "Ecce homo." "Here is the man." As Judas presents Jesus to the crowd calling for his death.

Homophobia—not in here, folks, a make-up word.

Gay is in here, though. As I remember, it was being used when I had a daily television show in 1968.

By the way, here is homophonic, sounding alike or being of the same musical pitch. Homophobia would be right before homophone—not here, folks.

So we turn to the word gay. This illustrative.

Gay—see if you this connotation of this word when it used to be only an adjective, thinking about 98,000 dead homosexuals.

It says, "Excited and merry, manifesting or inclined to joyous exhibition of content or pleasure (carefree children)." They use the dictionary symbol for putting in the word "gay."

Gay, carefree children. That is a nice phrase.

"A word of greeting, bright and lively in appearance, gay, sunny meadows, brilliant in color."

Madam Speaker, I was on television when they came up with this term. And not everybody went along with this. But Gore Vidal did. He said it was a silly, ridiculous word, when they said, "We want to be called gay."

Do you know what I said 23 years ago? That is a public relations move. You are trying to tell young people that you are more cheerful, more mirthful, more happy than everybody else. So we are supposed to stop having gala balls, stop singing at Christmas time, "Now we don our gay apparel." Bing Crosby records when they play, "I could be happy, I could be gay, I sur-

render dear," and it goes on and on. I once had a list of 20 songs that had the legitimate adjective, "gay" in them, where you would have to re-write the song or you would be immersed in gay laughter, take it any way you want, because of the double entendre.

No, this is not a gay lifestyle, and those people in California under Project Ten, which is a lie in the title. Ten percent of this Nation is not homosexual. The highest figure I have ever heard is from hero Doctor NIH Tony Fauci, who said 5 percent and he made the mistake of hiring a lot of homosexual people to drive this as a political disease. George Bush mentioned him in his bit debate with Dukakis when Dukakis could not come up with a hero because his only hero seemed to be himself. Finally he came up with Jonas Salk, who conquered polio. It was a long time ago. Bush came right back with a serve right down his throat, among many heroes, and he mentioned a lot, including generic categories like police, doctors and others, he mentioned Tony Fauci, and I was whispering to the future Secretary of Commerce, "Come on, George, mention Tony Fauci," and he could not think of his first name but he said Dr. Fauci at NIH.

Yes, he is a hero, but he is also one of those who I am sad to say has let this be driven as a political disease instead of a public health issue, although he has also pushed it as that.

So much for gay in the dictionary, abused, turned from an adjective into a noun describing a self-conscious, self-denying, and in many cases a self-hating lifestyle.

What person can claim that they are a healthy person, mentally and physically, if they get their kicks going to men's Johns, like at the Washington Monument, or I stumbled on a scene across from the beautiful Willard Hotel in a little park dedicated to my father and other veterans of World War I.

□ 1450

And there is, let me use, Madam Speaker, distinguished language here, a liaison dangereux, and that is reckless sex in the commode, with strangers.

What kind of a person is that? Well, that is the gay life style, to hit on strangers in public latrines from our football stadiums to our public parks.

I remember one time up here at a Greenbelt park one of the policemen told me, "They are scaring the horses, they are scaring the children, rustling in the bushes, and not even using the bushes sometimes." They are going to have to enforce the law in that park, in Greenbelt, MD, just along the strange beltway that circles this city.

That is the end of that subject. Because of Kimberly, meeting that little saint this morning, I will suspend and yield. I see we have a message from the

President of the other distinguished Chamber, and then I will come back to Members of Congress kiting checks. We have to go back to the dictionary for the word "kite" on that.

The SPEAKER pro tempore (Mrs. UNSOELD). The gentleman from California [Mr. DORNAN] has 24 minutes remaining. I thank the gentleman.

Mr. DORNAN of California. I thank the Speaker. I will try to break that down into four 6-minute segments.

"KITING" CHECKS

Madam Speaker, there is a media firestorm, that means it is in every newspaper across the country and all over television and the radio sets; there is a firestorm about Members of this Congress bouncing checks. Well, that is the wrong word. Here is the correct word: "kite." Now, I have in the unabridged dictionary here, I find out that "kiting" is two separate words, one we all know where we play with kites as children.

Now, a totally separate word, word No. 2, same spelling, k-i-t-e, pronounced the same way, and here is definition No. 1 of this second use of the word "kite": "to get money or credit by kite, specifically: to create a false bank balance by manipulating bank accounts." Well, Madam Speaker, let us get our language straight here. Up in Wall Street, where some people are now in jail, they use a very cute word, a French word, *arbitrage*, which is a shell game, moving money around, trying to draw interest on it here or there. The truth is that if they released all of our statements and gave them all to the press, nobody would show that they bounced a check. Because if somebody writes a bad check to the dry cleaners—and we are not talking about those kinds of checks—and he came back, they would hold it for him. So it would not be bounced back to the dry cleaners and embarrass a Member. What we are talking mainly about here is cashed checks written downstairs mid-month for \$1,000 and 24 people have done it 8 months in a row. You see, they are kiting the check. It is held, it creates a false bank balance, it shows they have got money in the bank, but here is a \$1,000 check waiting to be paid off. So, what happens is when their paycheck comes in to the Sergeant at Arms Office at the end of the month—and the Speaker was correct in this well when he said it is not a real bank, more of a financial service, because they do not invest money and it does not operate at a profit or make loans for cars—they take all those \$1,000 checks out of that paycheck.

What happens? The paycheck is considerably degraded and brought down by paying off these debits that have been held there. So, that particular Member, 24 particular Members, are beginning their month with a short paycheck. So, within a few days they are looking for money again.

Can you imagine somebody voting on the budget of the United States with a multitrillion-dollar debt, a budget in next year's fiscal year? Fiscal year 1993 will be on us shortly. We are working on the 1992 budget with a deadline of 4 days from now, and it looks like we are not going to make it, as usual. We only made it once in the last 20 years.

To have Members signing off on that budget, putting in bills, trying to bust the October budget agreement, which I am proud to have voted against, and running out of money by the 10th of the month and kiting checks around is simply irresponsible. Let me tell you something: I have never met a better group of people and public servants than these people who work in the Sergeant-at-Arms operation. As I have said in this well so many times, these reporters of official debate, our staff on this floor, are some of the hardest working people I have seen in any business, let alone Federal Government, and the same goes for all the good people who are hired by the majority, not by my party. This is a freebie compliment here. They are great people. They do this because they are given no choice.

When I asked the Speaker, standing in that well, to get a letter for those of us who have never floated, kited, or bounced a rubber check in 15 years, he said he did not think that was necessary. Well, I do think it is necessary because there is a press firestorm. They said, "We will give you all your statements." Well, I am not going to walk around with 2 years of statements bulging in my coat pocket and have some press person say, "Well, what about 3 years ago? Is that why you have only gone 2 years back?" Well, I am sure we are not going to carry 15 times 12 numbers of statements around in our pockets. I want a letter, and that issue is unresolved. I am going to get one from the Sergeant-at-Arms that says this Member has never kited a check.

Now, Madam Speaker, on to a far more important subject. But this problem will soon be resolved by discipline, although I feel, knowing the nature of the way things leak out of this city, that eventually everything leaks out that is down in print. Somebody is going to go for a Freedom of Information Act—by the way, we have made ourselves exempt from this act in Congress. Not I, I wish to add. But a majority of this House, 217 plus 1, at some point said that we will not subject our records to the Freedom of Information Act. But is the GAO, the General Accounting Office, answerable only to the Congress? Or is the executive branch? Because we have run Freedom of Information on the FBI, the CIA, the White House, on Presidents' diaries, just about anything, but not us up here.

It remains to be seen how this is going to be done by the news media,

but they are hot on the trail, and I predict that someday you are going to see the names of all the people who kited checks here for years, big ones, printed in the newspapers, and I wonder if people other than the C-SPAN concerned citizens who watch this floor, Madam Speaker, will notice it—I wonder if it is going to have any fallout in the 1992 election.

INTERCEPTED COMMUNICATIONS

But now we come to a congressional scandal that is far worse. Here is a letter that I wrote that I chose not to sign, to the President, because I am honored to be one of seven Republicans on the Intelligence Committee. But, because it is a sensitive committee assignment, I cannot sign this letter.

However, I will tell you that I would sign it if I had not spent the last 2½ years on the Intelligence Committee:

Dear Mr. President: Serious allegations have been raised regarding contacts between Members of Congress and members of the staff with officials of the Nicaraguan Government during the period of the Sandinista dictatorship.

I would have put in "Communist Sandinista dictatorship" because communism is a dirty word now and a few Members did not think it was all that bad until the collapse of communism. With the Berlin Wall not yet 2 years ago, November 9, right on through the amazing events in August 1991.

The allegations outlined in the December 15, 1991, edition of the New York Times and further detail in testimony for former CIA Latin American task force chief Alan D. Fiers before the Senate Select Committee on Intelligence stated there were intercepted communications between officials of the Sandinista Government and several Members of Congress, members of their staffs, and others.

What does "others" mean? By the way, nobody was listening in on Members of Congress. They were listening in on the commie dictator staff up here at the Nicaraguan Embassy run by Communists. Lo and behold, we find Communists—I mean we find Members of Congress calling these Communists and calling down to Managua on open phone lines. Amazing.

"These communications allegedly"—Let me tell you, I have heard about these for 4 years now, and I think "allegedly" is just being gentlemanly.

"These communications allegedly suggest that these individuals have provided improper advice," that is a given, as far as this Member is concerned, "and/or engaged in possibly illegal activities with the Soviet-backed Communist Sandinistas."

Remember, that was one of the octopus limbs of Mother Russia: Nicaragua, Cuba, Angola, Afghanistan—killing 1 million people in Afghanistan during this time period. Same people.

Marcus Wolf, head of the East German secret police, crushed East Germany and ran the spy operation in Angola and in Nicaragua and taught the local Communists, the indigenous people, how to do it themselves.

□ 1500

Back to this letter, final paragraph:

These allegations are so severe and potentially so damaging to national security and to the reputation of the House of Representatives,

far more damaging to our reputation than a couple of dozen people kiting checks,

that we believe the American people have the right to a full public review of this issue. Therefore we request that you declassify and release all documents and transcripts relating to these alleged communications between Members of Congress and the Sandinista communist government.

I predict, folks—you do this always at some risk unless you are Nostradamus, and, when you analyze that 17th-century seer, his prediction rate was not all that swift—I predict that someday on the front pages of the conservative newspapers of this country and the following day on the front page of the L.A. Times, Washington Post, and the New York Times—I hope they prove to me that is a cynical remark; they will all be on the front page the same day; you are going to see conversations that go like this:

"Buenas dias. Alejandro Fandana, aqui," and you are going to hear a voice of a Congressman say, "My Spanish is not too good, Alejandro."

"Listen. Here is how you defeat Ronald Reagan and the U.S. Government. Let me give you some free public relations advice. You do this, and this, and this, and this."

One of these people gave advice to one of these little Communist dictator brothers, Daniel Ortega, right in front of U.S. Senators. A House Member said, "Here's what you have to do to thwart the will of the foreign policy of a President who just carried 49 States and embarrassed a former Vice President by taking his own native State of Minnesota away from him."

One more trip and 6,000 more votes, and President Reagan would have batted a thousand, 50 for 50, every State. He took 49, and people knew this was a hot issue, whether or not communism was going to win in Nicaragua or whether a year and a half ago we were going to see Violeta Chamorro sworn in, the first lady President of any country in this entire hemisphere. What a glorious day that was with Daniel Ortega swaggering around because his brother Humberto was given the security force and the military and still is the comandante of those security forces undermining with raw communism everything that President Chamorro tries to do.

No, one of these Senators, a war hero, a 6½-year POW, went out and said to the press, and never got criticized for it, these following tough words:

"If I had a gun, I would have shot that Member of Congress."

How do you like that for a line out of a U.S. Senator?

I am not going to identify him here today, Madam Speaker. "If I had a gun, I would have shot that Member of Congress from Pennsylvania." He was a Member of Congress giving advice to a Communist dictator. Could not happen today now that the Berlin Wall is down and Mother Russia has opted in several segments for freedom. No, that is the scandal, and you are going to see it on the front pages, this give-and-take dialog.

Where will Woodward and Bernstein be then to write a book like "All the House's Men," just as they did "All the President's Men"? Where will Warren Beatty be? Coming out? Or Jack Nicholson? Or Robert Redford trying to get the movie rights and taking the exact transcript as printed on the front pages of our newspapers between Sandinista leaders and elected Members of the U.S. House of Representatives who multiple times have raised their hand in this well on the day when everyone of us is here, and the cameras are allowed to pan a full House, and promise to uphold the Constitution of the United States against all enemies, domestic and foreign. How can you trust somebody to oppose domestic enemies when they are giving foreign enemies, enemies of freedom, enemies of the people of Nicaragua, Communist thugs, public relations advice, if not secrets of this country on how to get communism to win in Nicaragua? That is going to be a day when those transcripts appear on the front pages of the paper.

Short item: Let us call that subject, "Day of Reckoning." We will call the other one "Kimberly Bergalis, A Young Saint For Our Time." I ask unanimous consent to have those titles inserted in the front of my speech. Just call this one, "Police Corps."

The Police Corps bill was voted down yesterday. It is an attempt to fight the crime wave across this country that resulted from a liberal philosophy destroying the ethos of our Nation and the principles by which we live. It has reversed the ideas of "Gangbusters," a radio program that I heard as a child that opened up with, "Crime does not pay," and turned that around into an absolute truism. Crime does pay in America.

Most rapists, 1 out of 10, don't even get charged, let alone sent to jail. Most murderers are beating the rap in this country, and as for aggravated assault, burglars and robbers, the rate of apprehension and imprisonment is so low compared to those felons that it is staggering. We are the shame of the world as an advanced industrial society, and we had a chance with Police Corps to do for the great police departments across this country what we have done for the military with the Reserve Officer Training Corps.

ROTC is in most college campuses in this country and many high schools. I had 4 years of Army ROTC in high

school at Loyola High and almost 3 years at the University. It so motivated me I quit college to join the Air Force to be a fighter pilot. Thank God I served in peacetime under a five-star general and never had to kill another mother's son, but I was proud to be combat-ready during the Eisenhower years. ROTC was what inspired me in addition to a war hero, my father from World War I with three wound chevrons, that is Purple Hearts, a different name in World War I.

This Police Corps went down in committee 20 to 14. That was wrong. The gentleman from Florida [Mr. JAMES] was voted wrong by his staffer by proxy. So, he would have voted for my bill. That would make it 15 to 19. Four Republicans broke their word to me because Richard Darman sent over a stupid hit piece against this brilliant idea, and it is not my idea. I am just carrying it. So, can call it brilliant. This terrific Police Corps, like ROTC, four Republicans broke their word to me, and they said we had to go with this hit sheet of Darman's, and it was filled with stupid analysis and misstatements of fact, and, as the gentleman from Illinois [Mr. HYDE] said supporting it, one of the stars of the Judiciary Subcommittee that had this before it, he said, "With all the strange things that we find grant money for around here, I think we can find \$100 million in a trillion-plus budget to give people scholarships to college to study any major they want, take a few police science courses, and get some help from their government, and then, as a payback, serve for 4 years on a police department of their choice."

Well, Madam Speaker, it went down. But I know this battle is far from over, and in the end we will win. I will see to it that this bill gets to the House floor for the entire House membership to vote on it.

End of that item.

Item one, two, three, four—item five: "Stop the Church," this anti-Christian, anti-Catholic film. It was run on L.A. television even after I spoke with the president, William Kobin, K-o-b-i-n. I rush to spell it because I am the grandfather of three little darling grandchildren with the same phonetic sound spelled C-o-b-b-i-n.

K-o-b-i-n, William Kobin, who ran the film, said he agonized over the decision. He gave New York the excuse to run it. This is after hundreds of PBS stations across this country turned it down. It never was run by our PBS station here in Washington, WETA, but it was run on KCET in Los Angeles. That means Community Educational Television. Not here, but New York could use that excuse, used that excuse and ran this film, and then Boston, and of course San Francisco. These happen to be the four cities where there is the largest Catholic population in the United States, and I repeat what I said

on this floor before this decision was taken.

If this film were titled, "Stop Judaism," or "Stop African Americans or Black Americans," or "Stop the Homosexuals" there would be a fire storm, to use that term again, across this country in the dominant media culture ran by liberals that a bigoted, racist, or antireligious film had been run.

Since I was last in the well I saw the film. I stand corrected. The host, the consecrated host, the body and blood of Jesus Christ for believers, was not ground into the concrete on film, although it was done at another event. That was the only restraint these radical producers showed. But one host was held up laughingly and mocked. And the film was so poorly done and so viciously anti-Christian that I am now willing to show it anywhere as long as they have a better discussion after the show than they had at KCET. Father Woods tried to do a nice job but was not tough enough. It is Kathleen Brown's husband, Gordon von Sauter who is the kind of person you want on the debate. I would volunteer myself immodestly, and I am going to see that Boston, New York and San Francisco at least have some vigorous, lively discussion since they have already run this show.

This is a disgrace, this assault upon my parish church as a youth. I was baptized in St. Patrick's Cathedral in May 1933. My mom and dad were married there June 27, 1929. I loved that church built with the dimes and pennies of Italian, Polish, and Irish immigrants, who were fleeing despotism and antireligious purges all over Europe. Every part of Europe came and built that church way out in the farm lands, and it ends up at the 51st Street in midtown, New York, the most exclusive area right across from Rockefeller Center and Atlas with the globe on his shoulders.

□ 1510

My memories of St. Patrick's are beautiful, and when I go back there, I get tears in my eyes thinking about my mom and dad who loved that church just like you would love a little wooden country church. It just happened to be the most beautiful cathedral in the Western Hemisphere.

To have this radical group go in there and desecrate the religious ceremony, to take the host in their hands or by mouth, throw it on the ground and desecrate it outside—how dare anybody do that.

I am going to appeal to my Jewish brothers and sisters across the country, to stand with me on this as I have stood with them every moment I could to fight anti-Semitism, a sick disease that has permeated society for 2,000 years, sometimes with a lot of Christian complicity. I have visited 12 concentration camps, from Babi Yar to

Sallas Fields in Latvia, to Jasenovac down in Yugoslavia just a few months ago. I took the time with my younger son Mark to drive to all six extermination camps in Poland—Belzec—the complex of killing that wiped out 4 million Jews—Auschwitz, and the big satellite camp, Birkenau, and ended up at Sobibor, Treblinka northeast of Warsaw. I visited them all. My son said he will never forget for the rest of his life what a special evil on the planet Earth anti-Semitism is.

I ask my brothers and sisters of the Jewish faith, to support your Catholic brother, even if you are not religious or not practicing. You do not have to be Orthodox to agree with me on a lot of social issues. I have been to the opening of the Simon Wiesenthal Center. I have traveled with my friends, Rabbis Marvin Hyer and Abe Cooper. I have been with them in every battle against anti-Semitism. I am going to meet with some Arab-Americans in my office and break their hearts when I tell them I cannot vote against Israel, even with my President right now. Why? Not because of the geopolitics and a fair analysis of settlements being built on the West Bank that I do not think should be there. What is driving my support for Israel is that it is a tiny nation of 3.5 million people born out of the horrors of anti-Semitism.

But I ask my Jewish brothers and sisters, as some courageous rabbis have come forward, to condemn this filthy bigoted film, "Stop The Church." And I hope that a lot of my colleagues join me in supporting not only defunding the NEA, but Public Broadcasting as well. That our tax dollars went to subsidize this filth or the stations that aired it is just too much to stand for. And let me tell you one thing, Madam Speaker, as a loyal stumbling, sinning practicing Catholic. Hell will freeze over before the church will authorize sex outside of marriage or just plain everyday, modern-day Hollywood sex, sex for young people. That is not adultery but fornication. The church is not going to authorize that. Never.

The homosexual militants want to convince the church to morally sanction some of the tub baths in New York, now closed by disease. To morally sanction the Mine Shaft. Have you got that? Am I talking over the heads of the kids? The Mine Shaft, the Anvil—these are homosexual bars which probably account for thousands of deaths. How is the Catholic Church expected to change its magisterium, its teaching, its dogma and say, "We aren't going to allow heterosexuals to have sex outside of marriage or sex in grade school or high school or anywhere, for that matter, where it violates the dignity of respecting your own body and the bodies of others, but we are going to give a free pass to homosexuality. They can have sex with 50 strangers a month and we are not going

to condemn that lifestyle or relate it at all to this biblical scripture, "The wages of sin is death." We are not going to do that.

No, that is not going to change, and you are not going to get easy divorce out of the church, just out of the occasional very weak priest and an occasional disgraceful weak bishop. And the second item the anti-Catholic radicals want to change church teaching on is abortion. But I can tell you, no matter how many Catholics in this Chamber or how many Irish Catholic sinners voted disgracefully on the other side for abortion, the Catholic Church, the Roman Catholic Church, will not cave in to killing human life in a mother's womb. The Catholic view on abortion is not going to change. The Catholic view on homosexuality is not going to change. The Catholic view on sex outside of marriage is not going to change. Neither is the Catholic view on easy divorce.

The SPEAKER pro tempore (Mrs. UNSOELD). The time of the gentleman from California [Mr. DORNAN] has expired.

Mr. DORNAN of California. Madam Speaker, I hold for next week my final discussion of a Communist theme park.

The SPEAKER pro tempore. The time of the gentleman from California [Mr. DORNAN] has expired.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. McCathran, one of his secretaries.

EXTENSION OF NATIONAL EMERGENCY PURSUANT TO THE INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO 102-142)

The SPEAKER pro tempore laid before the House a message from the President of the United States, which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed.

VACATING 60-MINUTE SPECIAL ORDER AND REINSTITUTING SPECIAL ORDER FOR 5 MINUTES.

Mrs. BENTLEY. Madam Speaker, I ask unanimous consent that I be allowed to withdraw my 60-minute request for a special order today and to request a 5-minute special order in its place.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

HDTV IS ESSENTIAL FOR DEFENSE NEEDS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mrs. BENTLEY] is recognized for 5 minutes.

Mrs. BENTLEY. Madam Speaker, in the current DOD appropriations bill, the House added \$100 million for the development of high definition display technologies—known popularly as HDTV. This funding was intended to solve a problem which we encountered in Desert Storm when our weapons systems were unable to discern the difference between enemy vehicles and allied vehicles because the sighting display equipment was too fuzzy.

In no way was this intended to enhance the ability of our soldiers to watch Redskin games. And yet, the Office of Management and Budget chose to interpret this funding as being primarily for the development of a commercial technology. In assessing it that way, DOD was forced to request the Senate to disallow the funding.

In the Senate request DOD makes a flat statement that Department "has never requested funding to support development of technologies for commercial markets."

At about the same time this was going on, another agency within the Department of Defense—the Strategic Defense Initiative Organization—known by either SDIO, or more popularly star wars—was putting into place a whole group of strategies to transfer technologies developed by them—state of the art every one—to the commercial sector, to corporations.

And, the statement was made by the office director of the Technical Applications Office—that if the technology "is sitting on the shelf and U.S. industry isn't interested in it," then other options should be pursued. He was referring to opening up the SDIO data base to foreign companies.

I find this shocking. While OMB will discourage any research and development in HDTV—under the guise that it might, eventually, help the commercial television market—at the same time full funding is going into star wars with the understanding that not only will the technology be transferred to the private sector, but that it will be transferred to foreign companies if American corporations do not desire to use it.

It may only be a happy circumstance for the Japanese—but, if so, they are very lucky. First, because they want to get control of the high definition television market, and second, because staffers at SDIO already have been traveling to Japan, at the invitation of the Japanese.

Just plain common sense suggests that if we have orphaned technologies developed by SDIO, technologies which no American company wants, then the Japanese will be first in line.

The facts about high definition display technology is that commercial television is only a part of its value and in no way represents the critical need for this technology for weaponry, for medicine, for space.

Japan recognizes the many markets for more clearly defined displays, having invested over \$1 billion in its current technology. I am told by experts in the field that our technology is better—and more state of the art than the 10-year-old Japanese product. What we are missing is the money for the development.

Money which the Government of Japan willingly has made available to its industries either through tax incentives and ridiculously low interest rates—2 and 3 percent—or through outright awards.

Money which OMB will not allow the Defense Department to have to make the breakthrough on weaponry because it potentially may help U.S. corporations.

Day after day there are reports on other issues which convinces the average American that one sector of the Government is busy undoing what another sector of the Government is busily trying to get done. But, this takes the cake. This is not one agency undoing the work of another agency, this is rampant schizophrenia at DOD. SDIO every day of the week is out on the street peddling its technology to industry—but DARPA cannot develop a technology to aid in the use of weapons.

It is not only ludicrous, it is not good policy—as a matter of fact, it is not policy at all.

□ 1520

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate disagrees to the amendments of the House to the bill (S. 1722). "An Act to provide emergency unemployment compensation, and for other purposes" and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon and appoints Mr. BENTSEN, Mr. MITCHELL, Mr. RIEGLE, Mr. PACKWOOD, and Mr. DOLE on the part of the Senate.

The message also announced that the Senate recedes from its amendments to the bill (H.R. 3291) "An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1992, and for other purposes".

HOW MUCH GOVERNMENT CAN AMERICA AFFORD?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. DELAY] is recognized for 60 minutes.

Mr. DELAY. Madam Speaker, I take the floor at this time to enter into a discussion of statistics. I think the American people are getting a little frustrated at the use of statistics in politics to enhance the political situation of both parties.

We have seen, at least starting about May of last year with the beginning of the budget summit that has become infamous in the history of this country, all the way through until today, speech after speech made on the floor of this House and article after article written by Members of this House and Members of the other body selectively picking out statistics to support their position.

On the Democrat side it is the position that the Reagan years have devastated America, have made the poor poorer and the rich even richer. On the Republican side it is the claim that the Reagan years were beneficial, that there was high growth, the longest period of growth in the history of this country.

I have to say a little blame lies on both sides. The Democrats, for their period of time for statistics, have selectively picked the 1970's, and particularly the end of the 1970's when this economy was turning down and in great recession. They take those bad figures and attach them to the figures of the 1980's, so that it will make the Reagan years look bad.

The Republicans usually start in 1983, when Reagan was elected in 1980 and took office in 1981, because they claim that the recession of 1980, 1981, and 1982 was no fault of Reagan, but was the policies of the Carter administration that caused the deep economic downturn, and therefore you should count the policies of the Reagan years and use the statistics starting in 1983.

Well, that may be all true. What I take the floor today for is to bring to the House a study that we unveiled this morning, a study done by the Institute for Policy Innovation under the guidance of Steven Moore, who is director of fiscal policy for the Cato Institute, and includes an introduction by the Nobel laureate James Buchanan, that looks back over a longer period of time and asks the question, which is the title of the study, "How Much Government Can America Afford?"

Ever since the budget agreement of last year, there has been study upon study about what are the results of the budget agreement and where are we headed as a result of raising taxes last year and increasing spending.

I think the evidence is coming in that what we are doing is pushing this country into financial disaster, and there is no hope for the future because

those that are in power in this Congress refuse to acknowledge progrowth policies that would allow American citizens to keep more of their money, to invest more of their money; that would lower the cost of labor, lower the cost of capital, lower the cost of savings, so that we can stimulate this economy into what is the backbone of this economy, and that is entrepreneurial spirit, small businesses of 10 or less employees up to 100 employees, that really creates the wealth of this country.

I look at some of the statistics that are coming in, some of the studies that are coming in, and it is very interesting. A couple of weeks ago a very distinguished gentleman that works for the U.S. Chamber of Commerce, Larry Hunter, wrote a piece entitled, "The Growth Gap."

It is very interesting, in that he points out that because of what happened last year and because of the track that we are on for the future, we are going to see a lower standard of living for American families, lower purchasing power for American families.

He makes this conclusion based upon the premise that we are going to see lower growth in production in this country as a result of this recession, and that the recovery after this recession, whenever it comes, is going to be so anemic that it is not going to bounce us back to the level that history has shown that we have had in our GNP, around 3 percent.

He, too, goes back to the 1950's and carries us through the history of our economy. He points out that ever since the 1950's we have averaged above or below the line, but we have averaged about 3-percent growth in this country every year.

We have had recessions. But when we have had recoveries, we have bounced back at such a high growth rate that it has offset the loss of growth by the recession.

That is not the case in the current recession. In fact, he makes the argument that it would be better to have had the kind of recession that we had in 1981 and 1982 than the kind of recession that we are having right now. Indeed, he makes the argument that in everyday terms, what this means is that at the end of 1992, 1½ years after the bottom of this recession, our standard of living will be about 6 percent lower than where it would be if the economy had performed up to snuff.

On a per capita basis this means the economy would produce about \$1,110 less for every man, woman, and child in 1992. This would mean that on an average, a family of four would have approximately \$3,000 less disposable income in 1992.

We face a growth gap. In other words, our economy has fallen through this recession and it is not going to be able to recover, which means a lower stand-

ard of living and a lower purchasing power for Americans.

Another way of looking at it is presented by this paper released today by the Institute for Policy Innovation entitled, "How Much Government Can America Afford?" Steven Moore goes back to 1950. Again, as Larry Hunter did, he goes through the history of growth in the United States. He is not placing blame on Republicans or Democrats, or on the President or Congress. He is just trying to lay out the case of what history has shown in this country, of allowing a government to grow by enormous measures.

Then he carries it even further. He carries it into and up to year 2020 and shows that if we continue the trend that we are presently on, what will be the state of the economy, the kind of living that Americans will have, in the years 2000, 2010, and 2020.

□ 1530

It is frightening. It is astounding.

We have in this country a creeping socialism, which is rather ironic.

Here we had the dissolution of the Soviet Union and, as our distinguished Republican whip said this morning, we have people in Russia that are more conservative than people in power in the United States.

His quote was, "The mayor of Moscow is to the right of the mayor of New York."

We are leading this country into a creeping socialism that is going forward toward what we have witnessed as the socialist governments of Europe and particularly the Soviet Union, and it does not seem like we have much hope of it turning around.

I want to quote some of the issue brief produced by the Institute for Policy Innovation, written by Steven Moore.

The past 40 years have witnessed an unprecedented increase in the size and scope of all government, but particularly the Federal level. Today the Federal Government spends over \$1.5 trillion a year or one-quarter, 25 percent of the Nation's total output, adjusted for inflation. The Federal budget has expanded by 50 percent since 1980, doubled since 1970, and increased sixfold since 1950.

This growth trend is not sustainable. Productivity, national competitiveness and living standards will suffer as they have already. Between 1950 and 1974, when the Federal Government was much smaller, our economy grew at a roughly 3 percent annual rate. Between 1974 and 1989, the economy grew at roughly 1 percent per year.

The difference in these growth rates means that rather than doubling every 25 years, family incomes are now doubling every 70 years.

All signs indicate that spending will accelerate rather than abate over the next three decades. Absent dramatic

reforms, the U.S. Government will command an ever-growing share of our national output. The budget will swallow up over 30 percent of our gross national product by the year 2110 and over 40 percent of our GNP by 2020.

In 1991 dollars, taking inflation into consideration, the budget will reach \$4 trillion within 30 years. To finance this spending, taxpayers will face a near-suffocating tax burden and/or deficits will skyrocket.

This issue brief is a basic primer on the Federal budget, detailing the magnitude and sources of growth since 1950, with projections through 2020. It also highlights the forces within the budget that are driving this spending growth.

The frightening story it tells can be summarized briefly. Failure to tame the Federal budget has placed America on a path of financial ruin.

First, fact, public expenditures are out of control at all levels of Government. The 20th century, particularly the past 40 years, has been a period of dramatic and uninterrupted public sector growth. This expansion is documented for Federal, State, and local governments dating back to 1930.

The data shows that today in the United States more than 40 cents of every dollar of national income is consumed by government, an alltime record, and that does not include the cost to the private sector of overregulation.

Government at all levels absorbs three times the level of the national income than it did in 1930. The Government captures 50 percent more of the national income today than 1950, with 42 percent of national output devoted to the public sector. The United States no longer ranks as a country with limited Government control relative to the Nation's past history and relative to other developed nations.

Second, fact, the Federal outlays have been growing at a pace two to three times the inflation rate. The vast majority of the growth in the public sector since 1950 has happened not at the local level, where Government is closest to the people, but at the national level. We can show this growth in Federal expenditures in real dollars and as a percentage of the GNP. And those figures show that the Federal Government now consumes more than \$1.4 trillion each year, double the real spending rate level of 1970 and six times the 1950 level.

Federal spending has climbed from 16 percent of GNP in 1950 to 20 percent in 1970. And as a result of the budget agreement of last year, 25 percent today.

Although the 1980's were supposedly an era of budget restraint, in real dollars the budget has expanded by more than \$400 billion in constant 1991 dollars and now commands a 10-percent greater share of national output than in 1980.

Over the longer term, in 1900, the Federal budget consumed \$1 of every \$15 in the economy. In 1950, it consumed \$1 of every \$7. In 1970, it consumed \$1 of every \$5. And today the Federal budget consumes \$1 of every \$4.

Third, fact, domestic outlays have been growing much more rapidly than defense spending. We hear on this side of the aisle all the time about defense is the problem, defense spending is the problem.

Let us look at the facts. Unlike what many Members think, the facts show that national defense spending has been only a small part of the budget expansion since 1950. We show that most domestic programs have grown substantially faster than defense spending since 1950. In fact, real defense spending has grown by 3 percent per year since 1950.

Total nondefense spending has grown by roughly 5 percent per year over that same period of time. Total nondefense spending has climbed in real dollars from 1960. From \$160 billion in 1950 to \$1.1 trillion today. Defense spending is roughly 5 percent of GNP, far below the post-World War II average, whereas nondefense spending has doubled. Nondefense spending has doubled from 10 to 20 percent of our gross national product.

Fact, entitlements are the most explosive area of growth within the Federal budget. We show that entitlement programs, mainly health care, welfare, and Social Security, have been the most explosive areas of growth.

Entitlement programs have driven the dramatic increase in Federal spending since 1950. Entitlement spending is doubling every 8 years. In constant 1991 dollars, entitlement spending has soared from \$30 billion in 1950 to \$200 billion in 1970 and now \$600 billion today.

Health care and Social Security outlays have been expanding by 12½ percent and 11 percent respectively in real dollars since 1950, three times the inflation rate over this 40-year period.

Fact, demographic, political, and economic factors will contribute to continued government expansion for at least the next 30 years. If Congress and the President do not take steps to reverse the past 40-year trend in Federal expenditure growth, the budget will balloon to economically unsustainable levels.

□ 1540

Unfortunately, pressures for continued budget expansion seem to be outweighing pressures for budget restraints.

These factors I am talking about that will drive us into unsustainable levels of spending in our budget include a changing demographic profile in the United States over the next 30 years that will substantially increase the number and percentage of Americans

in retirement and eligible for Social Security and Medicare. Today there are three workers for every retiree. By the year 2030 there will be less than two workers supporting every retired person.

Continued calls for new spending programs in high priority areas include aid to cities, expanded welfare coverage, new energy and environmental protection programs, new entitlements for children, the disabled and the homeless, and a national health care program, increased expenditures for interest on the national debt as an expanding Federal budget continues to drive up borrowing and interest payments.

The breakdown of the past and existing budget restraint mechanisms such as the recently scrapped Gramm-Rudman-Hollings law and the complete ineffectiveness of the 1990 budget agreement which has allowed spending to climb by more than 10 percent in its first year.

The budget forecasts through the year 2020 presented below are based on a series of reasonable assumptions regarding the economy and the changing demographic picture in the United States and projected spending priorities of Congress. These assumptions are No. 1, real GNP will grow at a 2 percent real annual rate over the next 20 years, which is the latest prediction by the Social Security Administration.

Assumption No. 2, defense spending will fall to 5 percent of GNP, well below its post-World War II average, and remain constant at that level.

Assumption No. 3, Social Security and health care expenditures will rise at the rate forecast by the Social Security Administration and the Health Care Financing Administration. This assumes no new or expanded benefits over the next 20 years. We all believe that.

Assumption No. 4, discretionary programs in the budget will grow at a pace half a percentage point below the real annual rate of growth from 1950 to 1990.

Another fact: Virtually every nondefense area of the budget will increase in real dollars, and as a share of GNP through the year 2000. Based on the set of conservative assumptions that we just listed, detailed projections of Federal spending are detailed in our report. Thirteen of the fourteen nondefense program areas are expected to expand in real dollars over the next three decades. All but veterans' benefits and international aid. Ten of the fourteen will consume a growing share of GNP.

The data paint a very gloomy picture. In 1991 dollars, outlays in the year 2000 will climb to \$1.85 trillion; in 2010 to \$2.7 trillion; and in 2020 to \$3.9 trillion.

Another fact: Entitlement spending will continue to surge and command a growing share of the Federal budget

over the next three decades. As has been the case since 1950, uncontrollable entitlement spending will fuel the budget expansion of the next three decades. Real outlays for entitlements such as health care, Social Security and income security will reach \$1 trillion in 1991 dollars by the year 2000 and \$1.3 trillion by 2010, just less than what is spent on the entire budget today. Let me repeat that. Real outlays for entitlements such as health care, Social Security and income by the year 2010 will reach \$1.3 trillion, just a little less than what is spent on the entire Federal budget today.

By the year 2020, entitlements will cost \$2 trillion in 1991 dollars. Entitlements will consume the same share of GNP as the entire budget does today.

Because of the pay-as-you-go feature of entitlements, on average, in the year 2020, each worker will have to pay \$10,000 in taxes each year just to support the entitlement programs.

Another fact: Domestic discretionary programs will also expand rapidly in the coming decades. Entitlements are not the only component of the Federal budget where spending will climb significantly over the next 30 years. We show where there is an incredible increase in domestic discretionary spending. These are typically and correctly regarded as areas of budget neglect. Highlights include real spending on domestic discretionary programs such as social services, community development, science and space and so on which will double in less than 20 years and more than triple in 30 years as they did from 1950 to 1991.

By 2020, total discretionary domestic programs will consume roughly twice the level of GNP as they do today, from 5 percent to 10 percent of GNP. Some of the fastest growing programs will include education and social service spending, which will climb in 1991 dollars from \$43 billion today to \$191 billion in 2020, transportation spending from about \$32 billion today to \$98 billion; and science and technology from \$16 billion to \$150 billion.

Fact: The Federal deficit will reach massive proportions in the near future, even dwarfing today's record-setting over \$300 billion deficit.

What implications will this growth in government spending have for the Federal deficit? Over the post-World War II period Federal taxes have averaged roughly 18½ percent of GNP. Today, taxes consume roughly 19½ percent of GNP. Assuming Federal taxes rise steadily to 25 percent of GNP by the year 2020, which would constitute a Federal tax burden roughly 4 percentage points higher than ever before in the United States during peacetime, and higher than even during periods of war, the Federal deficit would still skyrocket to seemingly inconceivable levels in the early part of the next century. The deficit in 1991 dollars will

swell to over \$400 billion by the year 2000, \$750 billion in 2010, and the Federal deficit will be \$1.55 trillion by the year 2020. The deficit in 2020 will be larger than the entire budget today. The deficit will reach 6 percent of GNP by the year 2000, 9 percent in 2010 and 16 percent, the deficit will be 16 percent of GNP in 2020.

□ 1550

If the deficit climbs to these forecasted levels, then clearly interest expenditures will also skyrocket over the next decade, or the next three decades; annual interest payments in 1991 dollars will reach \$300 billion by the year 2000, and interest will be a staggering \$760 billion by 2020, and interest buys us nothing. Interest payments will grow by 5 percent per year for the next 30 years, or 2½ times the expected rate of real economic growth over this period.

Just under 20 percent of all Federal spending will go to finance the national debt by 2020, up from roughly 15 percent today.

An alternative to running these massive deficits would be for Congress to attempt to balance the budget by simply raising taxes to match annual spending since, on average, the Federal Government will spend \$28,000 for every American worker. This would require Federal taxes, as a share of the worker's income, would have to rise by 20 percent above the current level by 2000. Taxes will have to rise by 75 percent above current levels by 2010, and taxes will have to go up roughly 150 percent above current levels by 2020. One-third of all our workers' income will be taken up just by the Federal Government in the year 2010, and more than 40 percent of all worker income will be taken up by the Federal Government in the year 2020.

As this analysis makes painfully clear, the political and economic costs of raising taxes to match projected spending over the next 30 years or running deficits that could reach more than \$1 trillion per year would be ruinous.

As former Council of Economics Chairman Murray Weidenbaum has warned, sooner or later, sooner or later Congress and the President will face a rendezvous with reality. The fiscal reality is unmistakable. Urgent and dramatic action in reducing the size and scope of the Federal Government is required to head off the fiscal calamity that we will otherwise bequeath to our posterity.

Mr. ARMEY. Madam Speaker, will the gentleman yield?

Mr. DELAY. I am happy to yield to the gentleman from Texas [Mr. ARMEY], the distinguished Dr. ARMEY, doctor of economics and a gentleman who is trying to drive this House to reasonable and rational fiscal policy.

Mr. ARMEY. I thank the gentleman for yielding.

Madam Speaker, I appreciate so much the fact that the gentleman took this special order.

I had the privilege last evening of acquiring my copy of the study done by Mr. Stephen Moore for the Institute for Policy Innovation on this whole question of how much government can the Nation afford. Quite frankly, I was anxious to get home to my wife last night, so I have to confess I did not read it last night, but I was in my office at 6:30 this morning, and I read the study, and I must say I am in agreement with the gentleman from Houston that it is a very well-done study.

Let me point out something. I taught economics in American universities for 20 years. I personally directed many master's theses and, in fact, have written my own book on the subject of economics, have been involved over the years in my real life in conventions where scholarly papers have been delivered and refereed, have done so myself, and I think I am capable of judging good workmanship when a study is prepared and presented. I think the young man, Mr. Moore, deserves to be complimented for the quality and the thoroughness of his research.

I think the report is not only beyond academic question, but it is extremely important in terms of providing the detailed chapter and verse to what probably all of us intuitively understand, that we are getting too much Government spending of the Nation's resources, when 25 percent of the gross national product of this country is consumed by the U.S. Government as opposed to our historic record of something closer to 19 percent.

Now, I would like to also relate something the gentleman said earlier in his remarks in this special order. I was sitting in my office, and when I looked up I noticed the gentleman was giving a special order, I did, as I usually do when the gentleman from Texas is on the floor, I turned up the volume and turned down my staff so that I could tune in without delay, and at any rate, when I heard the gentleman's opening remarks, I realized that they were perspicacious enough that he deserved an army of support and decided to come right to the floor and do what I could do to assist.

But the gentleman related to what we are all too often seeing in the press today. I saw a story just last week in the newspaper. The gist of all of these stories is that the 1980's were a failure, that in America in the 1980's, we are told, the rich got richer and the poor got poorer.

This is, in fact, a cliché. I think it comes from an old song. I might be prepared to sing it if the gentleman from Houston would assist.

Mr. DELAY. I think we can do without the song.

Mr. ARMEY. But this is an interesting complaint quite often about our

great Nation. It is often alleged that in America the rich get richer and the poor get poorer.

I think, again, the American people, in realizing this would have an intuitive reaction to that. Were the 1980's so bad, and if the 1980's were so bad, were they so bad relative to what? And as I look at this, the stories ask me the question.

Let me now reflect back for a moment on the 1970's. In my real life, I am a working man; I have always worked at a salaried occupation. The prior 20 years prior to being hired for this job, I worked in three or four different American universities as a professor of economics.

But essentially I had the same problems as anybody in America working on a salary, that is to say, feeding, clothing, caring for, raising my children, and my wife and myself, and, of course, my children were growing into their young adulthood in the 1970's. I had the same wishes and hopes and dreams and fears for my children that I suppose we all do as we see them beginning their high school years and going on to their college years, anticipating their completion of college, their marriage and setting up households and all of the things we hope for our children.

I remember in the 1970's interest rates going through the roof, unemployment rates soaring; from an academic point of view, I dealt with it in the classroom with my young students, with the phenomenon called stagflation, which prior to the 1970's all scholars across the world said was impossible under capitalism. According to the great scholar Phillips, you would either have inflation or recession, but you would never have both.

In the 1970's we had both. We called it stagflation, and it was a mystery. It began in the 1960's when Lyndon Johnson was President. He could not avert it. It went on then during the period of time of the Nixon Presidency, and he could not avert it.

□ 1600

The President's Board was stumped by it and President Carter, as you may recall, became enormously unpopular with the American people as he suffered through the worst of this stagflation; but in the seventies we saw a sense of malaise come over the American people, discouragement. In fact, President Carter called that to our attention.

I remember those feelings myself and my wife in conversations that we had.

I would ask the citizens of this country to remember the seventies and eighties, these horror stories about how awful were the eighties.

I remember my concern that my children upon their completion of college, and upon their marriage, arriving at that point in their lives where they

would hope to be married, buy a little home and start the process of raising a family as I have gone through, my fear was that they would not be able to do that.

I remember the stories. More and more we saw in the late seventies, the young marrieds living with their parents because they could not find housing, could not afford housing, and the discouragement we had. Stagflation was killing us.

Now, I also look back and take an honest view of the question of income distribution. Let me just tell you first of all a couple problems you have with that. When we see studies and reports on the distribution of income, what we do is we break the distribution of income up into five quintiles. We take the lowest fifth, the second lowest, the third, fourth, and fifth, the top fifth of the income distribution. The studies that make cross time comparisons, comparing 1978 with 1988, and so forth, implicitly assume that the same people are in the same quintile in 1980 that they were in 1970. They do not recognize that in the normal course of a family's life, they will travel through quintiles of income distribution.

Let me give you a quick and homely example. Social stratification being what it is in the universities, we do have nice studies. In 1964 I had my first real job as an instructor in a university. As an instructor, a new entrant in the labor force, a person beginning my career, I was in certainly at least for that profession the bottom quintile. In the ensuing few years, I completed my education, went from a Master's level of education to a Ph.D. level of education, went from the rank of instructor to assistant professor, had 3 or 4 years of real experience, wrote some articles and got myself in many ways more qualified to more ably do my job, and my income went up. I moved into another quintile of income distribution.

Now, I was clearly better off through my efforts, but as I move up, somebody else moved into that bottom level just coming from graduate school.

Then eventually I move up into another rank called an associate professor, being even more qualified, more years of experience, more duties undertaken on my part, and my salary went up. That is the way we do it.

So comparing these five quintiles of income distribution, one needs to understand that people are not locked in for a lifetime to one of the quintiles versus the other.

One of the things we see when we look at the quintiles, the bottom half, is that they go up through time and people move through them. So these are not very good comparisons, but let me go on.

If you take the years 1976 to 1980, the absolute worst, most depressing, most frustrating, that is to say when you

have unemployment rates you have depressing circumstances, when you have rapid rates of inflation you have frustrating circumstances. Those years that were worst which were dubbed the days of national malaise, in those years you find the only period of time in the history of this country were, in fact, the rich got richer and the poor got poorer. By that I mean there was some slight, very low level of growth in the upper-income quintiles, the top three quintiles of income distribution increased during those 4 years. The bottom two quintiles of income distribution literally decreased. So the poorer two quintiles got poorer and the top three quintiles got richer.

Now, I might mention that is precisely the period of time in my life that I was traveling through the quintiles. So for me and my family, because of my efforts we moved on through and we did not get stuck in the bottom quintile and stay there, but that is the only time that happened.

Now, let us look at the facts. Ronald Reagan was elected to the Presidency of the United States in November of 1980. He was sworn into office in January, I believe, of 1981, is that correct?

Mr. DELAY. Yes.

Mr. ARMEY. Congress typically does not begin to do its work with any degree of earnestness until late February, middle February, or March of every year.

Now, a new President has to make the recommendations to the Congress, has to put the recommendations through the Congress, has to get the recommendations enacted into law and the earliest a new President's program could begin to be enacted would be the year following having been sworn in, so January 1982 would have been the earliest that the President's program could have been enacted into law. That is to say throughout the year 1980, the last year of the Presidency, and through the year 1981, the first year of President Reagan's Presidency, the circumstances of this Nation would have been governed by the policies of the prior President, and of course as we know that was when the conditions were the worst. It was only in late 1982 and thereafter that we had President Reagan's programs.

We know that once President Reagan's programs went into effect, remember the high drama of breaking the back of inflation, then recovering from unemployment, that we had after that period of time beginning in late 1982 or early 1983 the longest peacetime economic expansion in the history of this country. That is irrefutable fact.

During all that time, each of the five income quintiles grew. That is to say, no matter where you were in the distribution income in this country, if you were in the highest fifth, the average income of that fifth was higher and grew throughout all that period of

time; so that whereas in the seventies I had to traverse through quintiles that were going down and then up, in the eighties a young person beginning as I have done would have started in quintiles that had a secular trend to go up. I would be improving my well-offness in a world of improving opportunities.

Now, that sometimes is very difficult to grasp, but it is particularly difficult to grasp for those who do not want to grasp it, but it is distressing to me to see this continuing misrepresentation. And why is that?

Mr. DELAY. Madam Speaker, if I could interrupt the gentleman, the gentleman has just laid out for the House basically, to put it in crude terms, the rich got rich and the poor got richer.

Mr. ARMEY. During the eighties, the rich got richer and the poor got richer.

Mr. DELAY. Yes.

Mr. ARMEY. Now, the problem a lot of people have with that is their complaint that the rich got richer at a more rapid rate than the poor got richer; but remember, we are talking about categories. When you complain that the rich got richer at a more rapid rate than the poor got richer, what you are complaining about is that people who were going through a normal occupational career life cycle, beginning with the time they begin to work full time in support of themselves and their families until the time they reach the full maturity of their career earning power, career effectiveness, were moving through quintiles of income into always a better quintile with higher average earnings.

□ 1610

That is, nobody was stuck, or was somebody? Let me ask this: I often like to ask people questions that force them to draw on their own experience. Fritz Machlup once made the observation that sometimes the best empirical testimony one can find is that of their own experience and that of their close associates.

Let me ask if you know somebody who is stuck in an income quintile; that is, stuck on a fixed income, who is not having their income going up or going down, check and see how many such people you know whose income is not, for the most part or at least by and large, derived from some source of public payment as opposed to private earnings. That is to say I would suggest to you, going back to the more important work that the gentleman was doing about what we have discovered from this very fine study that Mr. Steven Moore has done, that in the dynamic vitality of the private free market economy, where real free, hard-working, ambitious men and women in this country work out their lives in support of themselves and their families, that you see the dynamics of the

great promise of America, which is equality of opportunity, access to opportunity, the achievement of opportunity. And in programs of public expenditure, especially as this study points out, with the increasing share of total public expenditure going more and more to entitlement programs, that you find a tendency for people to find themselves in the despair of economic and financial stagnation. And those that may find themselves stuck in a quintile of income distribution are people who find themselves so dependent on the public support program that they are incapable of earning themselves on to another place and that freeing people to greater levels of achievement of prosperity and well-being, would give them a chance to get off the public dependency program, that safety web that official programs trap people in, and into the private sector with real jobs and real opportunities to live by your merits and move up.

The other thing I would like to say is a fundamental question I think we have to ask ourselves, and the answer is fairly obvious to all of us, is in this political institution, political-economic institutional structure we have in the United States, which has a public sector and a private sector, does the Government support the private economy or does the private economy support the Government?

We have it backwards in our understanding all too often, all too often. We put together—I served for 6 years on the Committee on the Budget, and I watched this process each of these years. We put together all of those programs that we think are necessary as public programs to support people in the real economy and the real country. And then we see what might be the deficit from all of that spending we put together. And then we return to the question: Will the growth in the real economy be great enough to sustain these programs?

So even though we build the budget on the predilection that we must have this enormous amount of public expenditure to support the private sector, we judge our hope for success or failure on the question of will the private sector be successful enough to be able to support this? What this study has shown us is that since the 1950's the public sector has grown like Baby Huey, has grown so large on the back of the private sector that we cannot sustain, we cannot carry this tremendous load. What we have done is we have moved from a nation of freedom of enterprise, freedom of enterprising young people doing their best in their jobs, a nation that increasingly is more and more depending upon the largess of public programs.

What did we see in this study? One of the most fascinating things I found was that as the share of the gross national

product consumed by the public sector went from something like 16 percent in the 1950's to 25 percent here, it became increasingly more difficult for the economy to sustain a growth rate. Now, let me, and one should never argue by analogy, but let me: If in fact it is the private economy of the United States that carries the burden, and we want it to grow, in effect we want it to march uphill. Is that right? We would like to have it march uphill with a 5 or 6 percent—5 percent or 6 degree incline, 5 or 6 percent growth every step of the way.

And let us say, going to my analogy again, let us say I am going to carry my gluttonous stepson or my gluttonous uncle on my back, trudging up that hill. Right? Let us say I am Mr. Private Sector of the American economy, carrying my gluttonous Uncle Sam up the hill.

And as I go up the hill, Uncle Sam continues to reach down off my back into my legs and pull a chunk of muscle out of my leg and eat it, and as he pulls each chunk of muscle out of my leg, my legs get weaker and he eats the muscle and he gets fatter.

So I am, increasingly, becoming weaker in the legs, carrying an increasingly bigger Uncle Sam on my back.

There comes a point, and this is the point that this study is concerned about, where the private sector cannot carry that load anymore, where it crushes that load, it crushes it. This is what I think this study has shown. We are reaching that point.

If we are not prepared to become creative, courageous, and responsible in controlling this growth of public spending, it is impossible for the economy to derive from any source whatsoever the best and brightest of our young people, or wherever we might acquire the source of energy that drives a great nation. There would be no source of energy that would be great enough that would allow this great Nation, with all its skilled workers and all its great craftsmanship and all of its entrepreneurial power and ability, its managerial leadership, none of the best of the assets of this country could achieve and obtain and continue to maintain the strength to carry this gluttonous monster of Government on its back on any incline whatsoever.

Now, what happens when it collapses and turns down, then that Uncle Sam becomes like the proverbial snowball carrying everything down into a terrible depression.

I think we are reaching a point of decision in this country, and the decision point is: Are we as a nation of people going to be prepared to take a look at our recent history? What did we try in the 1960's, and did it work? What did we try in the 1970's, and did it work? What did we try in the 1980's, and did it work?

Let us not have our ability to see these things clouded up by studies that

are trumped up like the infamous Green Book put out by the Joint Tax Committee. Let us not have ourselves confused by politicians telling statistical misrepresentations.

But drawing from our own experience: Did the things we tried with so much hope in the 1960's work? Did the 1970's and the policies of the 1970's work? Or did the 1980's work?

And from that experience, we had better then start looking for people who would work on our behalf in the Halls of Congress or in the White House who would draw on the best and the most instructive of those lessons to do for our children and grandchildren what will work. If we want those who would only have a continuation of the same old policies with their same old failures, then we can expect our children to be trapped in one of these bottom income quintiles with no hope to get out. And we will have this situation we have seen in Eastern Europe, we will have the same situation we have seen in Sweden.

□ 1620

Let me say I think we are approaching the end of the time of the gentleman from Texas [Mr. DELAY]. Let me say "hurrah," for the Swedes. The Swedes at least see the disaster in the making. Obviously they were not free to think for themselves and to act for themselves in the Soviet Union, comprised so much of slave nations as the union was, and we had the oppression of the Communist dictatorship for so long in the Soviet Union. We would not want to fault the intellect of the Soviet people, but the oppressive government they had in the Soviet Union left them not free to act on their behalf. But the Swedes had enough freedom so that, when they saw we are destroying our nation and its future of opportunities, they kicked the bad government ideas out just this past week.

Madam Speaker, I think it is time we do that in this case. We have so many good ideas, so much resourcefulness in our people, so much ability, so much ambition, and, as long as the gentleman will continue to yield, let me say this as a personal note:

I am sick and tired of hearing politicians talk about greed. It makes me too angry when I hear politicians talk about greedy American people. Greed is the desire to have more of what somebody else earned, and we ought to see that for what it is, and it is not good. It is bad.

There is something else that the American people are guilty of. The American people are not guilty of greed. They are guilty of something called ambition, and ambition is the desire to earn more for myself and my family and see my children do the same.

To see politicians who are taking money away from hard-working people

and squandering it on programs that fail them and fail their children's future, having the audacity to call American people greedy I think is an insult that ought not to be tolerated, and I have gotten that off my chest on the gentleman's time, and I appreciate the gentleman for that.

Mr. DELAY. Madam Speaker, I appreciate the gentleman from Texas [Mr. ARMEY] for his eloquent presentation, and more will follow, I am sure, in the future. We are headed for disaster, and, if the American people do not wake up and do something about it, they will reap the disaster on themselves.

THE RECESSION IS NOT OVER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. BONIOR] is recognized for 60 minutes.

Mr. BONIOR. Madam Speaker, last weekend the Budget Director, Mr. Darman, Richard Darman, announced that the recession had ended 4 months ago. That was last weekend. He announced that the recession was over 4 months ago. He bragged about minuscule increases in this or that statistic. He tried to create the impression that the economic recovery was humming along right on schedule.

Madam Speaker, his ridiculous remarks belong in the Bush administration's rhetorical hall of fame along with other remarks that have made no sense and that reflect the insensitivity and the callousness of this administration to the plight of literally, literally, millions of American working men and women and their families along with the "no big deal" remark that the Secretary of the Treasury responded when he said that this recession was no big deal, or the "garbage" response, the President's description of our efforts to help the unemployed.

Madam Speaker, how can President Bush and his entire administration fail to see what every middle-class American family already knows in this country? This recession is not over. It is a big deal, and the Bush administration cannot make it disappear with rhetorical whitewash.

In addition, Madam Speaker, this is a middle-class recession. Of course, the rich have been affected, those who have invested their Reagan era tax breaks into too many reckless ventures, and of course, it affects the poor, who always seem to be the victims of bad economic policy. But the brunt of this economic recession is borne by the American middle class. It is borne by our working families, by the people who have worked hard to put aside a little money for their kids' education, or the men and women who are trying to buy a first home for their family. These are the people who are in their prime. They have job skills, they are working hard to make a living for their family, they

are dependable people, they are hard-working, and they have proven that they are good at what they do.

Madam Speaker, literally millions of these people have been on their jobs for years, and all of a sudden they go to work one day, and they are handed a pink slip, or the boss calls them in the office and says, "It's all over. We can't use you anymore." They go home, and it starts to sink in.

As my colleagues know, they will say, "Well, I'll get a job," and they make every call they can out of the newspapers, the want ads, to try to find employment, and then the bills start to mount up day after day after day. How are they going to pay the mortgage? How are they going to put food on the table? How are they going to invest for the future of their children's education by putting aside a few bucks?

For some the bad news came when their boss called, and sometimes without warning, to say that the plant is closed and that they will have to find another means of providing for their family. For millions the bad news turned into panic when their unemployment benefits ran out, and that is what is happening for more than 300,000 Americans each month.

Each month, 300,000 Americans have exhausted their unemployment benefits, the highest total in 40 years, 40 years. But these are just not economic statistics. They represent profound emotional and psychological issues as well.

Again, imagine the anxiety of knowing that you could be laid off at any moment, and those who are working have that anxiety. They read the newspapers, they listen to the radio on the way to work and home from work, they watch their television news. They know this economy is bad, and they know that many of their jobs are hanging by a thread when they hear that the gross national product has dipped, when they hear housing sales are off, when they hear that car sales are worse than they have been in years. They know that those are the engines in our society and that they in fact could be next because many people in our society are dependent upon those basic industries.

Imagine their anxiety of knowing that at any time they could be next. And they feel it. Imagine their anxiety in looking into the face of a child whose college funds have to be used to pay monthly bills to get by, dipping into that fund that for months and years they have sort of set aside and struggled to keep so that their kid could do a little bit better than they did. Now they got to go into it.

□ 1630

Now they have got to go into it to put food on the table and to pay the mortgage, because the unemployment benefits have been exhausted. And then

there is the insult to injury, knowing that the Government through the employer, indirectly in negotiations with the employee, has a fund to take care of them with \$8.5 billion in it. But they cannot get at it. They cannot get at it because the President does not think this is serious enough. He says it is not an emergency, and he will not release the funds for these people.

There is the fear that they feel that a sudden illness will wipe out their family because they have no health insurance. They cannot pay the premiums on their health insurance. Imagine not knowing where your next mortgage payment is coming from and what that means to your family.

The psychological impact of this recession is every bit as profound as the economic problems themselves, and both are squeezing American working families to the limit.

The President has two responses. First, he pretends the problem does not exist, the recession is over, and "It's no big deal,"—"garbage" policies. That is the administration talking. Then he says we need to give the economy a second dose of the same failed economic practices that got us here in the first place, with more tax breaks for the rich. That is their answer. That is the President's answer.

Madam Speaker, the American people are tired of this double talk. They know that this recession is deep. They know that it is not over, and they know what to do about it. The way to get the economy moving again is to put money back in the pockets of working families in this country so that they can build, save, and invest to get this country moving again.

Madam Speaker, I received a letter last week from a constituent in Mt. Clemens, MI. He lost his job, and his unemployment benefits had run out. Listen to what he says about his family. He says, and I quote:

We are educated people. I have an electrical engineering degree. To serve my country, I did a tour in Vietnam. Now I need help. * * * With a wife and three children, we are living with shattered dreams and fright from day to day. My savings are gone, and we may soon have to put the home we worked 18 years for on the market. Is there any hope in sight?

I want to say to my constituent and to all the American people that there is hope in sight. First, we will send the President an unemployment bill, and we will override his veto if necessary. We will do that next week. Then we will focus our attention on our own working families here in America.

The President wants to take care of the Turks, he wants to give emergency aid to Israel, and he wants to provide, and he has provided, emergency aid to the Kurds and to Bangladesh, but when it comes time to take care of people here at home, the blinders go on, the earplugs go on, and it is as if they are not there, they are invisible.

We are going to take care of these people next week in the short run—and it is just the short run—to give them a little bit to sustain themselves, to take care of those kids at home, and then we will focus our attention on working families. They will put America back on its feet if we in Congress will only respond to their call to action. What we need is middle-class tax cuts. We need to cut the taxes for middle-income American people who got zippo during these years of the 1980's with the great Reagan tax cuts which bankrupted this country and which I am proud to say I did not vote for, tax cuts that went to the wealthy. The middle class got zippo. The idea, of course, was that we would have this trickle-down, that we would give it to the wealthy, they would invest it, and it would come down to the rest of us. We need to give it to the middle class and let them take care of their basic needs and the needs of this country, so it can bubble up and so that we can all enjoy the wealth of this country.

Middle-class tax cuts are high on our agenda, right after the unemployment compensation bill and right after the transportation bill that will put 2 million Americans to work shortly. We will deal with our roads and our bridges. Sixty-one percent of our roads need repair. Two bridges in America fall apart each day and they cannot be used. We need to get on with dealing with our public transportation system. Basic is our infrastructure. That is a long, complicated word, but basically it means building America again with 2 million jobs. That is coming.

We need better schools and better highways, and then we need health care reform. We need health care reform to correct perhaps the largest of the social inequities that we have. There are 37 million Americans who have not a dime of health care insurance, and the cost of it is bankrupting virtually everyone who is paying for some system. These Americans are our priorities. We make them Congress' priority, and we pledge to the American people that during this fall session we will see that their needs are taken care of.

THE CREATION OF NEW JOBS AND ECONOMIC GROWTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 60 minutes.

Mr. GINGRICH. Madam Speaker, I appreciate very much this opportunity to talk about jobs and the American economy and to make the point, first of all, that if you are going to have a tax cut, you have to begin by being in a position to have a job. If you do not have a job, a tax cut does not help you, and the No. 1 goal of American domestic policy for the near future should be

to create jobs to revitalize the economy.

It is fascinating to watch the drop in momentum in the United States, the loss of energy, the loss of jobs, the way in which the recession has sort of bounced along without a dramatic recovery, and to recognize that there are certain key lessons being taught all over the world, lessons ironically which were first taught by Margaret Thatcher and Ronald Reagan and which in the city of Washington it is very hard to get the political establishment to listen to.

The fact is we know what creates jobs. Incentive creates jobs. Encouraging people to save and to invest, encouraging people to work extra hard, encouraging people to go out and become entrepreneurs and found new companies and create new jobs, these are the things that create jobs.

We also know what kills jobs—raising taxes, big government, huge deficits, high interest rates, and tons of red tape and regulations. When somebody knows that if they go out and found a small company, they are going to drown in red tape, they are going to be overwhelmed with taxes, and they are going to face very high interest rates if they go into debt at all, their first instinct is to not start the new company. Why is that so important? It is important because virtually all new jobs in America come from small business. Large businesses, businesses the size of General Motors or Ford or IBM, tend to lose jobs over time. They buy new machinery, they buy new computers, they buy new equipment, and they shrink the size of their work force. So if we are going to have lots of jobs for lots of people, we have to have lots of small companies and lots of baby companies, baby companies that will some day be the IBM's and General Motors of the future.

We face a crisis, I think, because for the last 3 years the city of Washington and the national establishment have walked away from the lessons of the 1980's and have tried to reestablish the tax policies of the 1970's, the policies that led under Jimmy Carter to 22 percent interest rates and 13 percent inflation and set the stage for the worst recession of modern times.

Senator PHIL GRAMM and I are working together to create economic growth. We are working together to create the kind of changes that will lead to new jobs and new opportunities. We have introduced an Economic Growth Act. By that Economic Growth Act, it is estimated by economists that we would create 1,100,000 new jobs, and it would lead to the sale of 220,000 additional houses a year.

□ 1640

It would create an opportunity to have a housing boom. It would, by the way, thereby help the Federal Govern-

ment and help the taxpayer, because if we had more people buying more houses, that would lower the cost to the Resolution Trust Corporation of getting rid of the property the Government had taken over. That would save some banks and some savings and loans, and that would mean that the Treasury and the taxpayer would not have to bail them out.

Now, this is a bill, the Economic Growth Act, which we believe will help realtors who sell houses. It would help homebuilders who build houses. It will help carpenters who help build houses. It will help the forest products industry, which, after all, creates the products that go into the houses. It will help the textile industry, which creates the rugs and creates the covering for furniture.

When you look around the country, once housing starts begin to go back up, a lot of good things happen.

It is estimated the Economic Growth Act would lead to 220,000 additional home sales a year. Furthermore, when you encourage people to save and invest, when you encourage people to create a new factory, to buy new machinery, to set up a new business, you create jobs.

The 1,100,000 new jobs under the Economic Growth Act is not a small thing. It is actually more people than there are currently in the long-term unemployed. So we would actually be able to create jobs for all the people who are currently at this time under the definition of long-term unemployed.

How do we do it? First of all, we have a tax credit for copies with under \$43,000 joint income that enables them to buy that very first home.

Second, we allow every American to have an Individual Retirement Account. We allow them to save their money and have after-tax dollars and have a tax-free buildup.

We would make this provision: If you keep your money in that IRA for 5 years, you can use it for housing, you can use it for education, you can use it for health care, or you can use it for retirement. In fact, we have a further provision that parents and grandparents would be allowed to borrow, to take their IRA out and loan it to their children and grandchildren to help them buy their first home.

So again, we are moving toward that very desirable status of encouraging every young couple to dream and hope and work and save so that they someday can own a home.

In addition, we create enterprise zones in 75 urban and rural areas, so the poorest parts of America, whether in Michigan or West Virginia, will have a tax incentive to create jobs.

We know it works. We know enterprise zones have worked in Hong Kong. We know they work where they are tried. We want to bring them here to America on the premise that if we can

create jobs in poor neighborhoods so poor people can get off of welfare and into the habit of work, we make America stronger and better.

Furthermore, we cut the capital gains tax. Why do we cut the capital gains tax? Because we know that that will encourage people to invest, that will encourage people to create jobs, to create 1,100,000 new jobs. And we index capital gains for the future, so when you save and invest, you will not be paying taxes on inflation.

Furthermore, we establish a permanent extension of the research and experimentation tax credit. The research and experimentation tax credit is very, very important if in fact you believe that we want to have American business with the best research, the best technology, the best machine tools, the best products, so people can compete in the world market with Japan and Germany, and we can have the highest value-added jobs with the best take-home pay and the highest quality of life.

In addition to that, we raise the amount that senior citizens can earn without benefit from Social Security by \$8,000 a year, so that senior citizens who want to continue to work can earn an additional \$8,000 a year, without being penalized by Social Security, because we believe in the work ethic. We want to encourage people to stay busy and stay alive. We know the senior citizens who stay active are healthier, live longer, and have fewer problems with their health than people who do not.

In addition to all of those things, we provide for an economic growth dividend for every taxpayer. Our position is very clear. If the economy grows by more than 3 percent real growth, we believe that every dollar in additional revenue should go back to the working American family in the form of a higher personal deduction, because we want to establish the premise that if you work hard and you go out and establish a growing economy, that those dollars belong to you, not to the Washington bureaucracy.

We do not want people to say, "Boy, if we get all this growth, look how much more money we can spend here in Washington."

Instead we want to say, "If we get a real period of boom, we want that extra money to go back to increase your personal deduction, so you and your family can have more money in your take-home pay, because that is your money, not the Government's money, if you have earned it."

We think that is a very strong, very powerful, profamily position.

Let me say, first of all, we believe that the Economic Growth Act, by creating 1,100,000 new jobs and by creating 220,000 additional home sales, and by allowing senior citizens to earn \$8,000

additional a year without penalty, we believe that that will stimulate the economy and help us get out of a recession.

But we go a step further. We also believe that it is time we reestablished the principle that economic growth is the most important domestic policy.

The most important domestic policy is a job. If a family has a job, if people are able to earn a living, if they believe they have a chance to buy a house, that is the beginning of a healthy America. I do not care how many social welfare state bureaucratic programs we put together. None of them are as valuable or as important as having a job. Yes, the objective fact is that for 3 years now, the Democratic leadership in the Congress has killed every effort to create jobs. They have killed every effort to produce new work, new opportunities, new take-home pay.

President Bush has sent up bills. He has asked them to pass bills. There are two examples; 2½ years ago he sent up his initial jobs program calling for a tax cut. It passed the House with 264 votes. It was killed by the Democratic leadership.

The second example: the President came right here back in January. He called on the Congress in 100 days to pass a highway program.

The highway program is very important. The highway program not only creates infrastructure for all Americans to drive on, opportunities for mass transit, but it is one of the most powerful jobs programs the Government has. When the Government is building more highways, building more bridges, repairing more roads, creating more opportunities for people to go to work, that is a jobs program itself.

I do not have the figures yet. We have asked some economists to develop them for us. But just the delay by the Democratic leadership in producing a highway bill which the President asked for, and which he really hoped to get by early May, just the fact that we have delayed that bill from May until October means that there was less stimulus, less job creation, less investment, less economic activity, so fewer Americans were at work.

Let me go a stage further. The reason there is such a fundamental difference between President Bush and the Republican approach with the kind of ideas, such as the Gramm-Gingrich bill for economic growth, the reason there is such a difference between that approach and the Democratic leadership's approach of much higher spending, ultimately higher taxes, bigger deficits, is because of a fundamental difference about what works and what makes the economy work.

Everywhere you turn around the world Americans are preaching to other countries, you need smaller government, you need less bureaucracy, you need free enterprise, you need pri-

vate property, you need incentives to work and save and invest.

We're telling the Russians, the Lithuanians, the Latvians, and the Estonians. We are telling Poland, Hungary, and Czechoslovakia. The truth is we live today in a world in which the mayor of Moscow is to the right of the mayor of New York City; in which the mayor of St. Petersburg is to the right of the mayor of Philadelphia. The result is we are telling the Russians and others how to do the very things we are not doing.

There was a report issued today by the Institute of Policy Innovation, one of the most interesting and dynamic institutes of its size in the country, a report on the Federal budget and America's fiscal future. This report by Stephen Moore illustrates our concern. I want to quote a couple of things that will startle most Americans.

Adjusted for inflation, the federal budget has expanded by 50 percent since 1980; doubled since 1970; and increased six-fold since 1950!

This growth trend is not sustainable. Productivity, national competitiveness, and living standards will suffer—as they have already. Between 1950 and 1974, when the federal government was much smaller, our economy grew at a roughly 3 percent annual rate. Between 1974 and 1989 the economy grew at roughly 1 percent per year. The difference in these growth rates means that rather than doubling every 25 years, family incomes are now doubling every 70 years.

All signs indicate that spending will accelerate rather than abate over the next three decades. Absent dramatic reforms, the U.S. government will command an ever-growing share of national output. The budget will swallow up over 30 percent of GNP by the year 2010 and over 40 percent of GNP by 2020. In 1991 dollars, the budget will reach \$4 trillion within 30 years.

That is almost the size of our current entire economy.

To finance this spending taxpayers will face a near suffocating tax burden and/or deficits will skyrocket.

He goes on to say:

Failure to tame the Federal budget has placed America on a path to financial ruin.

□ 1650

Why is this important? It is important because if we have a smaller government with a balanced budget with lower taxes so that people have the money in their pocket to take home, to save and invest. We are in a position to grow faster. If we grow faster, people have better jobs with better equipment, working in better factories. People have better opportunities to buy better products.

They have a higher standard of living. They can buy a better home, which creates more jobs so people again live better.

We face a very stark choice. I think it is ironic that the Swedish Socialist Party, two Sundays ago suffered its worst defeat since 1928. While our friends in the Democratic leadership do

not seem to have learned anything from the fact that in Russia and in Hungary, in Sweden, across the world, the concepts of a centralized welfare state are simply breaking down and simply proving not to be very effective, that in most of the world people have awakened and realize that we have an obligation to do everything we can to create more economic growth in the private sector so people have real jobs and they have lasting jobs.

This is a very, very important central issue for the 1990s. Are we going to become a bigger welfare state with higher taxes, a larger deficit, with workers being punished if they have initiative, savers being punished if they save? Or are we going to bring government spending under control? Are we going to be in a position to say, let us set some priorities in Washington?

We will hear everybody who comes to the floor of the House say, "This is an emergency, this is a high priority."

I have yet to hear anybody come to the floor and say, "Let me identify 3 low priorities in domestic spending. Let me tell you about 5 programs that are not working."

There are over 4,000 Federal Government domestic programs. Surely we could take the 1 percent that are least effective, 40 of them, and close them down, or the 2 percent, 80 of them, or the 3 percent, 120, and begin the process of setting priorities.

Every American family has to set priorities and the U.S. Government should set priorities also. Whether we are going to control spending or not, I think we have to look at the tax system and ask ourselves, do we have today a tax system which encourages savings? The answer is no. If one borrows money, one can deduct some of the interest. If one saves money, we are going to tax that person for the interest.

That is why having an individual retirement account, as we have in the Economic Growth Act, is so important.

Do we today have an economy that says to young workers, "You have a pretty good chance to buy a house?" The answer is no. That is why the Economic Growth Act both allows people to use their IRA to buy housing and allows parents and grandparents to loan to their children and grandchildren to buy housing and sets up a situation in which if one has under \$43,000 in income, one is able to have a tax credit against their down payment, because we believe that giving young couples an incentive to go out and work and save and buy a house is one of the steps to a healthy economy.

Do we today have a permanent research and experimentation tax credit to say to our business, "We want you to invest in research so you can compete with Japan and Korea and Germany?"

No, we review it every year. And in fact, there is talk that the Democratic leadership is not going to bring a tax bill to the floor this year and is going to let the research and experimentation tax credit disappear, go out of existence. And yet what does that do?

It says we are not going to encourage our businesses, our computer businesses, our laser businesses, our health care businesses, our drug and pharmaceutical businesses, we are not going to have a tax credit to encourage them to do the research which America knows is absolutely vital if we are going to be in a position to compete in the world market in the 21st century.

Do we encourage our senior citizens to work today? We tell them, "If you earn more than \$9,000, we are going to take away \$1 in Social Security for every \$3 you earn."

A senior citizen who goes to work who is in the 15-percent bracket is now being told, "We are going to take 33 percent away and then we are going to charge you 15 percent."

We are talking about the highest marginal rate in America which is paid today by senior citizens.

A senior citizen, 65 or 66 years of age who continues to work, who earns more than the Government tells them they are allowed to earn, pays a higher marginal rate than a millionaire, a higher marginal rate than a movie star, a higher marginal rate than a professional football player. It makes no sense at all.

Yet today your Government punishes senior citizens who want to stay active and who want to work. Do we say to people, go out and have the courage to leave your job, to start a small company, to go out and do something really tremendous to employ lots of people and we will reward you? No.

We in fact have the highest capital gains tax rate of any major industrial competitor. The Germans do not tax the way we do. The Japanese do not tax the way we do.

And then we turn around and say, "How come they have more entrepreneurs, how come they are creating more jobs, how come they are more dynamic than we are?"

Yet the current Tax Code is an antijob creator.

I say to my friends on the left, we cannot have jobs if we do not encourage job creators. We cannot have jobs if we do not encourage people to start small businesses. We cannot have jobs if we do not have new opportunities for new folks to go out with new ideas, to create new markets.

On the left, they like to get together with folks at the top. They want to talk about the big corporations and the big labor unions. None of those people create any jobs. Jobs are created in fact just the opposite.

Jobs are created when little people go out with little bits of money to set

up little bitty shops from which grow the future. Apple Computer started in a garage. Polaroid Camera started in a basement. People had an idea. They went and they began.

The guys who invented the silicon chip, they were told they were crazy when they founded their company.

Again and again, when we look at the future, if we read Ray Kroc's biography, "Grinding it Out," a study of McDonald's and how he developed McDonald's. There were two brothers. They owned a little hamburger place out in California.

They got up to three hamburger stands. Ray Kroc was a milkshake machine salesman. He was trying to sell them milkshake machines. They bought a lot because their three hamburger stands did more business than any other place that he sold to.

He went to the McDonald brothers and said, "If you would set up more hamburger stands, I could sell you more milkshake machines."

They said, "We don't want more than three. Three is enough. We are making a good living."

He said, "Well, would you allow me to franchise your ideas?"

He took what little money he had. He got some investors. He went to Chicago, took a lot of risks, and created the first franchised McDonald's.

Today it is the largest fast food chain in the world. All of us watch with great pride as Americans when we see Russians lined up to get into the McDonald's in Moscow. We say, that is a big corporation. But I say to my friends in the Democratic leadership, it was not a big company when Ray Kroc founded it. It was a tiny company.

It took a man willing to go out and risk his savings to work for years to create the modern institution that we see today.

If we look at United Parcel Service, a great corporation. I had a privilege to spend time with them recently. One of the largest, most successful corporations in the world at transporting parcels.

They started with one truck, and they began to grow. They began to develop.

My point is this: Those of us who believe that we have got to worry about the recession, that we have got to create jobs, that we have got to care about economic growth, that a healthy America is a working America, we want to actually encourage savings. We want to actually encourage investment. We want to actually encourage job creation. So we are prepared to change the Tax Code to pass a bill which would do that.

What do we see with our friends in the Democratic leadership?

Two weeks ago they brought up an unemployment bill, and I said to them, "I am prepared to vote for the unemployment bill, but let us add to it an

employment bill. Being worried about unemployment is only half the story. How about worrying about employment? Worrying about extending the unemployment only gets you to the end of the 20 weeks. What happens then? What if we still have not encouraged any growth? What if we still have not created any new jobs? What if we still have not founded any new companies? What do you say then to the unemployed?"

□ 1700

Here's 20 more weeks, and then what do you say and where does it end?

I went to the Rules Committee and I begged the Rules Committee Democrats, please, make in order a jobs bill so the people of America can have the dignity of working, so we can not only give them extended unemployment for the short run, but we can also create jobs for the future. And we were told, on a straight party line vote, no, you cannot do that. That would be wrong. We do not want to bring up a jobs bill, we just want to bring up an unemployment bill.

So then we came to the floor. We had the following colloquy, and I rose and I asked to offer an amendment to the unemployment bill that would be the economic growth act that Senator PHIL GRAMM and I have developed. This is what the CONGRESSIONAL RECORD says on September 17, 1991 at page H-6640.

The gentleman from Illinois [Mr. ROSTENKOWSKI] makes a point of order that the amendment proposed by the motion offered by the gentleman from Georgia [Mr. GINGRICH] is not germane to the bill.

The bill, as reported, is confined to provisions relating to unemployment insurance and compensation within the jurisdiction of the Committee on Ways and Means.

The amendment proposed in the motion offered by the gentleman from Georgia [Mr. GINGRICH] contains provisions "to provide incentives for work, savings and investments in order to stimulate economic growth, job creation and opportunity." These provisions range beyond matters of unemployment compensation and involve the jurisdiction of committees other than the Committee on Ways and Means, to wit: the Committee on Banking, Finance and Urban Affairs and the Committee on the Judiciary.

Accordingly, the Chair finds the amendment is not germane, and, therefore, the motion to recommit is not in order.

The Chair sustains the point of order of the gentleman from Illinois [Mr. ROSTENKOWSKI].

What did they say? Notice the language. Our bill provided for work, for incentives for work, savings, and investment in order to stimulate economic growth, job creation and opportunity.

If I came to your home, or to your neighborhood, or to your local civic club, or to your work and I said gee, do you think as a way of dealing with unemployment that having an incentive for work, savings and investment might relate to unemployment, do you think if I offered something which would stimulate economic growth and

job creation that that might have something to do with unemployment? But not on the House floor. Job creation on the House floor does not relate to economic unemployment, which tells you a lot about why the Democratic Party has a hard time dealing with the economy. Because obviously the most important fact about unemployment is we are not creating enough jobs. So if we were to create enough jobs we would not need to worry about unemployment. Just this basic principle seems to elude the Democratic leadership.

Let me make a second point. The Rules Committee can make in order anything. The Rules Committee can invent the bill. The Rules Committee can send to the floor a bill which has never gone to a committee, which has never had a hearing, which has never been marked up, and in the history of the House this has happened on a number of occasions.

If the Speaker says in the Rules Committee I want you to bring a jobs bill to the floor tomorrow morning, they can do it. And if on the floor we will vote for the rule and the House will accept the rule, it is in order.

So what do we have happening? First, the Democratic leadership which controls the Ways and Means Committee, which controls the Rules Committee, says we are not going to have any hearings on this Economic Growth Act, we are not going to mark up this Economic Growth Act, we are not going to report out of committee an Economic Growth Act. Then when we go to the Rules Committee and ask them to make it in order we are told that since you did not come out of the committee we cannot make it in order. After all, we would not want to offend the Democratic leadership.

Then when we came to the floor we are told that since the Rules Committee, which is controlled by the Democrats, did not want to offend the Democrats who controlled the Ways and Means Committee, you cannot make in order the Economic Growth Act.

Then having killed the Economic Growth Act, so we cannot create 1,100,000 jobs, we cannot increase the sales of homes by 220,000 a year, we cannot allow senior citizens to earn an additional \$8,000 a year, we cannot have an extension permanently of the research and experimentation tax credit, we cannot do any of the good things we want to do, having killed it, then the Democratic leadership and its supporters come to the floor and they attack the President, and they attack the Republicans for not having a domestic agenda.

There is an old saying that chutzpah is defined as somebody who murdered their parents and then throws themselves on the mercy of the court as an orphan. In a sense what we have here is a Democratic leadership which first

smothers the President's program, and smothers the House Republican program, and then claims that since we cannot produce it on the floor it must not exist, even though the reason that it is not on the floor is that the Democrats will not let us bring it here. And when people wonder why the country is so outraged about the way the Congress is run, and why people are calling for term limitation, and why there is a movement of rebellion in the country, all they have to do is look at the last 2 weeks.

Every American who wants to see us create 1,100,000 new jobs had their hopes thrown down by the Democratic leadership who refused to bring it to the floor. Every American who would like to buy a home, and particularly Americans who are, after all, relatively poor, under \$43,000 joint income which means we are not talking about helping the rich, we are talking about helping young working couples, something that you hear Democrats say they want to do all the time. But they want to do it soon, they want to do it eventually, they want to do it when they get around to it. And yet here we had a bill that would have allowed couples under \$43,000 income to have a tax credit to buy a house, something you would have thought the Democrats would have liked. But they could not bring it to the floor, could not make it in order.

My point is this: Every young couple who wants to buy a house ought to be mad at the Congress, mad at the Democratic leadership for not making that in order. Every senior citizen who would like to earn an additional \$8,000 a year without penalty from Social Security should be mad at the Democratic leadership and mad at the House for not making that in order. Every person who would like to sell a house or build a house for those young couples ought to be mad at the Congress. Every person who wanted to save and who would like to have an IRA, and who believes having an IRA that would allow you to spend it on health, education and housing as well as retirement is really pro savings, should be mad at the Democratic leadership for not making it in order. Every unemployed American who wants a job more than an unemployment check, who wants a chance to go back in the job market and work, and take home pay, and have dignity should be enraged that twice in 10 days we could bring an unemployment bill to the floor, but we could not bring an unemployment bill.

Finally, all Americans who have watched in Georgia, and in Michigan, in Minnesota, and Missouri, across the country who have watched change in Russia, change in Lithuania, change in Poland, change in Hungary, change in Czechoslovakia, the recent defeat of socialism in Sweden, and then you get to the U.S. House on Capitol Hill and

what do you get? The same old strangulation of new ideas, the same old smothering of new approaches, the same old techniques of backroom politics stopping the bills from coming to the floor.

I think the American people know better. The American people know that we have to focus on jobs, we have to create more opportunities. And I hope that every American will call their Member of Congress and ask them to cosponsor the Economic Growth Act, and ask them to help create new jobs, and ask them to help increase savings, and ask them to help senior citizens be allowed to work, and ask them to help young couples buy a house. And if enough people will contact their Congressman and their Senator, if enough people will talk about the importance of economic growth, the importance of jobs, the importance of getting out of this recession, then I believe maybe we can bring enough public pressure to bear to actually get a fair rule to bring the rule to the floor and to have a chance to pass it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. TANNER (at the request of Mr. GEPHARDT), for today, on account of family business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. THOMAS of Wyoming) to revise and extend their remarks and include extraneous material:)

Mr. BROOMFIELD, for 60 minutes, on October 2.

Mr. BURTON of Indiana, for 60 minutes each day, on October 14, 15, 16, 17, 18, 21, 22, 23, 24, and 25.

Mr. WALKER, for 5 minutes, today.

Mr. DELAY, for 60 minutes, today.

Mrs. BENTLEY, for 60 minutes each day, on October 1, 2, 3, 7, 8, 9, 10, 15, 16, 17, 22, 23, and 24.

Mr. MCEWEN, for 60 minutes, today.

Mr. THOMAS of Wyoming, for 5 minutes, today.

(The following Members (at the request of Mr. CRAMER) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. NEAL of Massachusetts, for 60 minutes each day, on October 1 and 2.

(The following Member (at the request of Mrs. BENTLEY) to revise and extend her remarks and include extraneous matter:)

Ms. HORN, for 5 minutes, on September 30.

(The following Member (at the request of Mr. BONIOR) to revise and ex-

tend his remarks and include extraneous material:)

Mr. ANDREWS of New Jersey, for 5 minutes, on October 3.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. THOMAS of Wyoming) and to include extraneous matter:)

Mr. RHODES.

Mr. SANTORUM.

Mr. MCDADE.

Mr. BURTON of Indiana.

Mr. SOLOMON.

Mr. LAGOMARSINO.

Mr. GOSS.

Mrs. BENTLEY.

Mr. GUNDERSON.

Mr. GINGRICH.

(The following Members (at the request of Mr. CRAMER) and to include extraneous matter:)

Mr. KOLTER in two instances.

Mr. FASCELL in two instances.

Mr. DWYER of New Jersey.

Mr. LEVINE of California.

Mr. MONTGOMERY.

Mr. TRAXLER in two instances.

Mr. SOLARZ.

Mr. TALLON.

Mr. KILDEE.

Mr. SARPALIUS.

Mr. SWETT.

Ms. OAKAR.

SENATE ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

[Correction to the Congressional Record of Tuesday, September 24, 1991]

The SPEAKER announced his signature to an enrolled bill and joint resolutions of the Senate of the following title:

S. 1106. An act to amend the Individuals with Disabilities Education Act to strengthen such Act, and for other purposes;

S.J. Res. 126. Joint resolution to designate the Second Sunday in October of 1991 as "National Children's Day"; and

S.J. Res. 151. Joint resolution to designate October 6, 1991, and October 6, 1992, as "German-American Day."

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 862. An act to provide for a demonstration program for voir dire examination in certain criminal cases, and for other purposes; to the Committee on the Judiciary.

S. 865. An act to provide for a demonstration program for voir dire examination in certain civil cases, and for other purposes; to the Committee on the Judiciary.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. ROSE, from the Committee on House Administration, reported that

that committee had examined and found truly enrolled a bill and joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3291. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1992, and for other purposes; and

H.J. Res. 332. Joint resolution making continuing appropriations for the fiscal year 1992, and for other purposes.

SENATE ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to an enrolled bill and joint resolutions of the Senate of the following title:

S. 363. An act to authorize the addition of 15 acres to Morristown National Historical Park;

S.J. Res. 73. Joint resolution designating October 1991 as "National Domestic Violence Awareness Month";

S.J. Res. 95. Joint resolution designating October 1991 as "National Breast Cancer Awareness Month"; and

S.J. Res. 125. Joint resolution to designate October 1991 as "Polish-American Heritage Month."

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a joint resolution of the House of the following title:

On September 25, 1991:

H.J. Res. 233. Joint resolution designating September 20, 1991, as "National POW/MIA Recognition Day," and authorizing display of the National League of Families POW/MIA flag.

ADJOURNMENT

Mr. GINGRICH. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 9 minutes p.m.), under its previous order, the House adjourned until Monday, September 30, 1991, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2138. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the semiannual reports for the period October 1990 to March 1991 listing voluntary contributions made by the U.S. Government to international organizations, pursuant to 22 U.S.C. 2226(b)(1); to the Committee on Foreign Affairs.

2139. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting

copies of the original report of political contributions of Curtis Warren Kamman, of the District of Columbia, to be Ambassador to the Republic of Chile, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

2140. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting notification of an award under the Witness Security Program, pursuant to 22 U.S.C. 2708(h); to the Committee on Foreign Affairs.

2141. A letter from the Comptroller General of the United States, transmitting the third report on the assignment or detail of General Accounting Office employees to congressional committees as of July 31, 1991; jointly, to the Committees on Government Operations and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 6. A bill to reform the deposit insurance system to enforce the congressionally established limits on the amounts of deposit insurance, and for other purposes; with amendments (Rept. 102-157, Pt. 2). Ordered to be printed.

Mr. BONIOR: Committee on Rules. House Resolution 230. A resolution waiving all points of order against the conference report on S. 1722 and against the consideration of such conference report (Rept. 102-221). Referred to the House Calendar.

Mr. FORD of Michigan: Committee on Education and Labor. H.R. 3259. A bill to authorize appropriations for drug abuse education and prevention programs relating to youth gangs and to runaway and homeless youth; and for other purposes; with an amendment (Rept. 102-122). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 1724. A bill to provide for the termination of the application of title IV of the Trade Act of 1974 to Czechoslovakia and Hungary (Rept. 102-223). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 3365. A bill to amend title 31, United States Code, to restrict the authority of newly established Government-related corporations to borrow from the Treasury and to require an annual evaluation of the impact of public borrowing by such corporations on the public debt; with amendments (Rept. 102-224). Referred to the Committee of the Whole House on the State of the Union.

SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of Rule X the following action was taken by the Speaker:

H.R. 6. Referral to the Committees on Agriculture, Energy and Commerce, the Judiciary, and Ways and Means extended for a period ending not later than October 4, 1991.

H.R. 3039. Referral to the Committee on Government Operations extended for a period ending not later than September 27, 1991.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. TAUZIN (for himself, Mr. HALL of Texas, Mr. COOPER, Mr. SLATTERY, Mr. SYNAR, Mr. BOUCHER, Mr. HARRIS, Mr. DEFAZIO, Mr. EMERSON, Mr. PERKINS, Mr. PAYNE of Virginia, Mr. CHAPMAN, Mr. GALLO, Mr. CLINGER, and Mr. ROGERS):

H.R. 3420. A bill to improve the access of home satellite antenna users to video programming, and for other purposes; to the Committee on Energy and Commerce.

By Mr. APPELGATE (for himself, Mr. MCEWEN, and Mr. MILLER of Ohio):

H.R. 3421. A bill to amend the Mineral Leasing Act to provide for the continuation of certain leases on mineral estates upon the vesting of a present interest of the United States to such mineral estates; to the Committee on Interior and Insular Affairs.

By Mr. BACCHUS (for himself, Mr. Cox of Illinois, Mr. ANNUNZIO, Mr. MRAZEK, Mr. FRANK of Massachusetts, Mr. LUKEN, Mr. NEAL of Massachusetts, Mr. RIGGS, Mr. MORAN, Mr. DOOLEY, Mr. CRAMER, and Mr. ROEMER):

H.R. 3422. A bill to provide additional resources to the Resolution Trust Corporation subject to various conditions, to establish additional operating requirements for such Corporation, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mrs. BOXER (for herself, Mr. BROWN, Mr. HERGER, Mr. RIGGS, and Mr. SYNAR):

H.R. 3423. A bill to amend the Hazardous Materials Transportation Act to require the Secretary of Transportation to designate as hazardous materials under that act substances designated as hazardous materials by the Coast Guard; jointly, to the Committees on Public Works and Transportation and Energy and Commerce.

H.R. 3424. A bill to amend the Hazardous Materials Transportation Act to revise the system for designating hazardous substances and for other purposes; jointly, to the Committees on Public Works and Transportation and Energy and Commerce.

By Mr. DONNELLY:

H.R. 3425. A bill to amend the United States Housing Act of 1937 to authorize housing assisted under such act for which occupancy is limited to elderly families, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. GUNDERSON:

H.R. 3426. A bill to amend the Higher Education Act of 1965 to improve access to postsecondary education for students with disabilities; to the Committee on Education and Labor.

By Ms. HORN (for herself, Mr. THORNTON, Mr. KOSTMAYER, Mr. OLVER, Mr. BOEHLERT, Mrs. LLOYD, and Mr. WYDEN):

H.R. 3427. A bill to amend title 10, United States Code, to provide for the development of defense manufacturing and critical technologies; to the Committee on Armed Services.

By Ms. OAKAR:

H.R. 3428. A bill to authorize capital contributions for certain international financial institutions in order to enhance international economic stability and economic growth, to provide for the alleviation of poverty, the protection of the environment, and

energy efficiency, to provide for the implementation of the Enterprise for the Americas Initiative, to provide assistance in the financing of U.S. exports, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. PALLONE:

H.R. 3429. A bill to amend Federal Water Pollution Control Act to improve the enforcement and compliance programs; to the Committee on Public Works and Transportation.

By Mr. RHODES:

H.R. 3430. A bill to establish administrative procedures to extend Federal recognition to certain Indian groups; to the Committee on Interior and Insular Affairs.

By Mrs. UNSOELD:

H.R. 3431. A bill to improve the effectiveness of international environmental programs by coordinating international trade policy and efforts to enforce measures to protect national and international resources and the environment, and for other purposes; to the Committee on Ways and Means.

By Mr. MCDERMOTT (for himself, Mr. BONIOR, Mr. PANETTA, and Mr. DARDEN):

H.R. 3432. A bill to provide assistance for workers and communities adversely affected by reductions in the supply of timber from Federal lands and to provide for ecosystem conservation of Federal forest lands in the Pacific Northwest; jointly, to the Committees on Education and Labor, Agriculture, Banking, Finance and Urban Affairs, Ways and Means, Interior and Insular Affairs, and Merchant Marine and Fisheries.

By Mrs. MORELLA:

H.R. 3433. A bill to amend title 5, United States Code, to grant to the widow or widower of a Federal employee or annuitant whose health insurance coverage would otherwise terminate because of such employee's or annuitant's death the right to elect the same temporary extension of coverage as is available to certain former spouses; to the Committee on Post Office and Civil Service.

By Mr. INHOFE:

H.J. Res. 337. Joint resolution providing for the designation of chili as the official food of the United States; to the Committee on Post Office and Civil Service.

By Mr. HERTEL:

H. Con. Res. 210. Concurrent resolution expressing the sense of the Congress in support of Taiwan's membership in the United Nations and other international organizations; to the Committee on Foreign Affairs.

By Mr. KANJORSKI (for himself and Mr. KLECZKA):

H. Con. Res. 211. Concurrent resolution to call on the President to take all available actions to encourage a lasting cease-fire in Yugoslavia and the initiation of negotiations for the long-time resolution of the conflict in Yugoslavia; jointly, to the Committees on Foreign Affairs and Banking, Finance and Urban Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. THOMAS of California:

H.R. 3434. A bill for the relief of The Umbrellas: Joint Project for Japan and U.S.A. Corporation; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 118: Mr. THOMAS of California, Mr. CRANE, Mr. CARPER, Mr. JACOBS, Mrs. KENNELLY, and Mr. ARCHER.
 H.R. 145: Mr. REGULA and Mr. HOPKINS.
 H.R. 150: Mr. McMILLAN of North Carolina.
 H.R. 193: Mr. MARTINEZ.
 H.R. 444: Mr. HOBSON and Mr. HAYES of Louisiana.
 H.R. 608: Mr. LEWIS of Georgia and Ms. OAKAR.
 H.R. 650: Mr. JONTZ.
 H.R. 722: Mr. KILDEE Mr. MARKEY, Mr. KOLTER, and Mr. EVANS.
 H.R. 723: Mr. KILDEE Mr. MARKEY, Mr. KOLTER, and Mr. EVANS.
 H.R. 815: Mr. LEHMAN of Florida.
 H.R. 872: Mr. DARDEN and Mr. JONES of Georgia.
 H.R. 875: Mr. FAZIO and Mr. CONYERS.
 H.R. 941: Mr. FAZIO.
 H.R. 945: Mr. EWING, Mr. BARNARD, Mr. EDWARDS of Texas, Mr. CLEMENT, Mr. SKELTON, Mr. JONES of Georgia, Mr. ORTIZ, and Mr. STEARNS.
 H.R. 951: Mr. SWETT, Mr. ROSE, Mr. MOLINARI, Mr. SANGMEISTER, Mr. MCCREERY, Mr. CARDIN, Mr. HATCHER, and Mr. YOUNG of Florida.
 H.R. 967: Mr. DOOLEY.
 H.R. 997: Mr. CONYERS.
 H.R. 1064: Mr. IRELAND and Mr. FAWELL.
 H.R. 1115: Mr. CAMPBELL of California, Mr. GUARINI, and Mr. RITTER.
 H.R. 1145: Mr. ANDERSON, Mr. DICKS, Mr. CONYERS, Ms. PELOSI, Mr. LAGOMARSINO, Mr. WILSON, Mr. MILLER of Washington, and Mr. McNULTY.
 H.R. 1161: Mr. BACCHUS and Mr. ROYBAL.
 H.R. 1300: Mr. DICKS and Mr. EDWARDS of California.
 H.R. 1318: Mr. McCLOSKEY and Mr. DWYER of New Jersey.
 H.R. 1330: Mr. ROTH and Mr. MILLER of Ohio.
 H.R. 1345: Mr. GILLMOR.
 H.R. 1348: Mr. OXLEY and Ms. ROSELEHTINEN.
 H.R. 1482: Ms. SLAUGHTER of New York, Mr. MILLER of Ohio, Mr. SPRATT, Mr. JEFFERSON, and Mrs. MINK.
 H.R. 1483: Mr. GORDON.
 H.R. 1523: Mr. GILCHREST.
 H.R. 1527: Mr. BILBRAY.
 H.R. 1570: Mr. AUCOIN, Mr. CLINGER, Mr. GIBBONS, Mr. RAY, Mr. BRYANT, Mr. GRADISON, Mr. McDERMOTT, Mr. WALSH, Mr. BARNARD, Mr. HOUGHTON, Mr. EWING, Mr. DURBIN, Mr. PETERSON of Minnesota, Mr. ARCHER, and Mr. SAVAGE.
 H.R. 1592: Mr. HALL of Texas, Mr. BRYANT.
 H.R. 1608: Mr. TOWNS and Mrs. PATTERSON.
 H.R. 1633: Mr. HAYES of Illinois, Mrs. PATTERSON, Mr. SYNAR, Mr. TOWNS, and Mr. VALENTINE.
 H.R. 1662: Mr. KLECZKA.
 H.R. 1703: Mr. LEHMAN of Florida.
 H.R. 1727: Mr. NEAL of North Carolina.
 H.R. 1733: Mr. SISISKY, Mr. CAMPBELL of Colorado, and Mr. McNULTY.

H.R. 1900: Mr. PAXON, Mr. McCANDLESS, and Mr. DeFAZIO.
 H.R. 2008: Mrs. BYRON.
 H.R. 2083: Mr. SKAGGS, Mr. CONYERS, Mr. SCHUMER, Mr. EVANS, and Ms. SLAUGHTER of New York.
 H.R. 2089: Mr. LANCASTER and Mr. CONYERS.
 H.R. 2222: Mr. RINALDO.
 H.R. 2298: Mr. RAY.
 H.R. 2333: Mr. POSHARD.
 H.R. 2336: Mr. ACKERMAN.
 H.R. 2358: Mr. NEAL of North Carolina.
 H.R. 2374: Mr. DELLUMS and Mr. FORD of Tennessee.
 H.R. 2499: Mr. ARCHER, Mr. ATKINS, and Mr. FORD of Michigan.
 H.R. 2565: Mr. MARKEY, Mr. ESPY, Mr. KOPETSKI, Mr. EVANS, and Mr. HERTEL.
 H.R. 2682: Mr. BACCHUS, Ms. SLAUGHTER of New York, and Mr. NEAL of Massachusetts.
 H.R. 2763: Mr. NEAL of North Carolina, Mr. VALENTINE, and Mr. BEREUTER.
 H.R. 2798: Mr. HAYES of Louisiana, Mr. BROWDER, Mr. COLEMAN of Missouri, Mr. GOODLING, Mr. OWENS of Utah, and Ms. NORTON.
 H.R. 2832: Mr. TORRES, Mr. VANDER JAGT, and Mr. MFUME.
 H.R. 2860: Mr. GILMAN.
 H.R. 2872: Mr. LANCASTER.
 H.R. 2891: Mr. LANCASTER, Mr. NEAL of North Carolina, and Mr. DWYER of New Jersey.
 H.R. 2898: Mr. SOLARZ and Mr. KOLTER.
 H.R. 2906: Mr. KLECZKA.
 H.R. 2923: Mr. FORD of Tennessee, Mrs. UNSOELD, Mr. HALL of Ohio, Mr. JONES of Georgia, Mr. GORDON, Mr. MINETA, Mr. HORTON, Mr. FAZIO, and Mr. LIPINSKI.
 H.R. 2964: Mr. GALLEGLY.
 H.R. 2966: Mr. McDADE, Mr. SOLOMON, Mr. WISE, Mr. JACOBS, Mr. EVANS, Mr. VALENTINE, Mr. NEAL of Massachusetts, Mr. SLATTERY, Mr. KASICH, Mr. McMILLAN of North Carolina, Mr. SIKORSKI, Mr. HAMMERSCHMIDT, and Mr. McCLOSKEY.
 H.R. 3002: Mr. WALSH and Mr. FROST.
 H.R. 3026: Mr. PETERSON of Minnesota, Mr. DYMALLY, Mrs. ROUKEMA, and Mr. CONYERS.
 H.R. 3048: Mr. KILDEE.
 H.R. 3049: Mr. LOWERY of California.
 H.R. 3056: Mr. COSTELLO, Mr. VENTO, Mr. JONTZ, and Mr. LANCASTER.
 H.R. 3070: Mr. BERMAN, Mr. JONTZ, Mr. COMBEST, Mr. MINETA, Mr. PICKETT, Mr. PARKER, Mr. OLVER, and Mr. WAXMAN.
 H.R. 3071: Mr. LAGOMARSINO, Mr. SPENCE, Mr. PICKETT, Mr. PANETTA, Mr. CRAMER, Mr. GOODLING, Mr. BACCHUS, Mr. COLEMAN of Texas, Mr. CAMP, Mr. BROWDER, and Mr. OWENS of Utah.
 H.R. 3112: Mr. ANDREWS of Maine, Mr. JONTZ, and Mr. PANETTA.
 H.R. 3121: Mr. MACHTLEY and Mr. HOCHBRUECKNER.
 H.R. 3130: Mr. KLUG, Mr. ZIMMER, Mr. LEWIS of Florida, Mr. SOLOMON, and Mr. PAXON.
 H.R. 3142: Mr. RICHARDSON, Mr. TAUZIN, Mr. GINGRICH, Mr. LEACH, Mr. ROE, Mr. HALL of Ohio, and Mr. PENNY.
 H.R. 3207: Mr. DELLUMS, Mr. DIXON, and Mr. MATSUI.
 H.R. 3216: Mr. PETERSON of Minnesota, Mr. RAY, and Mr. STALLINGS.

H.R. 3221: Mr. MARTINEZ, Mr. QUILLLEN, Mr. FAWELL, Mr. JENKINS, and Mr. KOLBE.
 H.R. 3256: Mr. McDERMOTT, Mr. HORTON, Mr. JONTZ, and Mr. KLECZKA.
 H.R. 3280: Mr. SCHUMER, Mr. ROSE, Mr. PORTER, Mr. FALOMAVAEGA, Mr. SMITH of Florida, and Mr. MINETA.
 H.R. 3293: Mr. YATRON, Mrs. MINK, Mr. HORTON, and Mr. YATES.
 H.R. 3302: Mr. NAGLE, Mr. JOHNSON of South Dakota, Mr. STALLINGS, and Mr. ENGLISH.
 H.R. 3354: Mr. JONTZ.
 H.R. 3372: Mr. HORTON.
 H.R. 3373: Mr. COYNE, Mr. DWYER of New Jersey, Mr. BEVILL, Mr. PICKLE, Mr. FRANK of Massachusetts, Mr. JACOBS, and Mr. PERKINS.
 H.R. 3376: Mr. RAVENEL, Mr. ZIMMER, and Mr. FAWELL.
 H.R. 3405: Mr. McDERMOTT.
 H.J. Res. 21: Mr. McMILLEN of Maryland.
 H.J. Res. 22: Mr. JOHNSON of Texas.
 H.J. Res. 81: Mr. TAYLOR of North Carolina and Mr. BARRETT.
 H.J. Res. 84: Mr. BENNETT.
 H.J. Res. 153: Mrs. BYRON.
 H.J. Res. 156: Mr. YOUNG of Florida.
 H.J. Res. 177: Mr. SCHAEFER, Mr. McCLOSKEY, Mr. TAUZIN, Mr. WELDON, Mr. BILLEY, Mrs. KENNELLY, Mr. RHODES, Mr. GILCHREST, Mr. MONTGOMERY, and Mr. ROYBAL.
 H.J. Res. 243: Mr. YOUNG of Florida.
 H.J. Res. 293: Mr. WEBER, Mrs. COLLINS of Michigan, Mr. GORDON, Mr. MARTIN, Mr. MFUME, Mrs. JOHNSON of Connecticut, Mr. RITTER, Mr. KENNEDY, Mr. STENHOLM, Mr. KOLTER, Mr. CAMPBELL of Colorado, Mrs. MORELLA, Mr. OBERSTAR, Mr. LIGHTFOOT, Mr. DeFAZIO, Mr. GEREN of Texas, and Mrs. MINK.
 H.J. Res. 304: Mr. KOPETSKI.
 H.J. Res. 318: Ms. NORTON, Mr. McMILLEN of Maryland, Mr. GRANDY, Mrs. ROUKEMA, Mr. GORDON, Mr. SLATTERY, Mr. LENT, Mr. OWENS of Utah, Mrs. LOWEY of New York, Mr. FRANK of Massachusetts, Mr. ANNUNZIO, Mr. JACOBS, Mr. PURSELL, Mr. EDWARDS of California, Mr. BERMAN, Mr. FAZIO, Mr. LEHMAN of California, Mr. LEHMAN of Florida, Mr. SOLARZ, Mr. JOHNSON of South Dakota, Mr. CLEMENT, Mr. McNULTY, Mr. HARRIS, Mr. GRADISON, Mr. HUGHES, Mr. GONZALEZ, Mr. WAXMAN, Mr. ERDREICH, Mr. ESPY, Mr. LEVINE of California, Mr. RAVENEL, Mr. MILLER of California, Mr. TALLON, Mr. GUARINI, and Mrs. BOXER.
 H. Con. Res. 65: Mr. GILLMOR.
 H. Con. Res. 168: Mr. CONYERS, Mr. SANDERS, and GRANDY.
 H. Res. 130: Mr. LIPINSKI and Mr. CONYERS.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

[Omitted from the Record of September 25, 1991]
 H. Res. 194: Mr. DYMALLY.